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CITY AND COUNTY OF SAN FRANCISCO
GEORGE R. MOSCONE, Mayor



Recreation and Park Department

McLAREN LODGE, GOLDEN GATE PARK
SAN FRANCISCO, CALIFORNIA 94117

REVISED AS OF NOVEMBER 10, 1976

JOHN J. SPRING
General Manager

MEMORANDUM

TO: MEMBERS OF THE RECREATION AND PARK COMMISSION

FROM: JOHN J. SPRING, GENERAL MANAGER

SUBJECT: REVISED POLICIES RE GRANTING OF PERMITS AND RESERVATIONS

Pursuant to Commission direction, staff has met twice with the Park Committee to review policies affecting the issuance of permits and reservations. Particular concern centered on detailing those policies applicable to Golden Gate Park.

The Commission, by Resolution No. 9462 adopted November 8, 1973, articulated policies for permit issuance. This policy was amended by Resolution No. 9720 in September of 1974 to prohibit the use of Recreation and Park Facilities for commercial mechanical rides and amusement devices. It was the feeling of the current Commission Committee, concurred in by staff, that the aforementioned policies should be restated together with those guidelines deemed appropriate.

If the Commission adopts the proposed attachment hereto, your action will supersede Resolution Nos. 9462 and 9720 as well as Resolution No. 7073, March 17, 1967, Amended by Resolution No. 7117, April 13, 1967, Amended by Resolution No. 7210, June 12, 1967. This will allow the Permit and Reservation Office to supply the general public with a single document containing all applicable Commission Policies.



Department of Justice
Office of the Inspector General
Washington, D.C. 20535

TO: [illegible]
FROM: [illegible]
SUBJECT: [illegible]

STATE OF NEW YORK

[illegible]

TO: [illegible]
FROM: [illegible]
SUBJECT: [illegible]

[illegible text block containing multiple paragraphs of a letter or report]

RESOLVED, that this Commission does hereby adopt policies for permit and reservation issuance which are as follows:

A. GENERAL

1. Requests for permits and reservations should be made at least ten days in advance so that staff will have adequate time to process requests properly, meet with parties of interest, and coordinate with other affected public agencies as needed. This requirement may be waived by the General Manager if an emergency or other unusual combination of events develops that would not permit the requisite ten days' notice. No applicant may issue publicity in advance of a proposed event until a permit is issued. No permit shall be issued unless the name(s) of all sponsoring, participating and/or performing groups and a general description of the event, including hours of the event or performance, is supplied to the permit office in advance.
2. In reviewing requests for permits or reservations, the General Manager or a designated representative is authorized to exercise discretion to assure that the Commission's policy guidelines are achieved. Within the context of the constitutional guarantees of the First Amendment, the General Manager or a designated representative is specifically authorized to limit the time, manner and place of any event. In evaluating requests for permits, staff shall be guided by, but not limited to, consideration of the following factors:
 - I. Anticipated effect upon horticulture.
 - II. Relation to other scheduled recreation or park activity.
 - III. Effect upon adjacent neighborhoods.
 - IV. Anticipated increase in traffic generation.
 - V. The past performance of applicant(s) with respect to the protection of public property, adherence to terms of previous permits, and past compliance with the Municipal Code.

Any or all of the above shall be used to determine if a permit is issued, or if an increase in the performance bond is required.

3. In addition, staff may require debris boxes, chemical toilet units, protective coverings, monitors, security personnel, the inspection of stages, booths, platforms and minor structures, etc., that might be erected, or to impose appropriate conditions as part of the permit, in order to insure that public enjoyment of park properties is not hampered or that the properties themselves are not damaged.
4. Staff shall identify the place and use of amplified sound pursuant to city ordinances. A sound permit is issued and enforced by the San Francisco Police Department.
5. Staff shall process all permits without discrimination with regard to race, color, religion, ancestry, national origin, age or sex of those individuals or groups requesting such permits.

B. PERFORMANCE BONDS

The General Manager or a designated representative shall require performance bonds pursuant to the following schedule in order to insure proper clean-up, repair of minor damage and guarantee that properties are restored to their original condition.

<u>Attendance</u>			
100	-	1,000	No Bond
1,000	-	3,000	\$ 500.00
3,000	-	6,000	750.00
6,000	-	9,000	1,000.00
9,000	-	15,000	1,500.00
15,000	-	25,000	1,750.00
25,000	-	100,000	2,000.00
100,000	-		Bond not to exceed \$3,000.00

C. INSURANCE REQUIREMENTS

1. Liability insurance covering all operations, including but not limited to the demised premises, personal injuries and injury to property for single limits of not less than \$1,000,000 applying to bodily injuries, personal injuries (including death at any time resulting therefrom), and property damage or a combination of said injuries.
2. Food Products Liability of \$1,000,000 when sale of food is contemplated as part of a requested permit. Conditions of sale as negotiated by the Business Office shall be subject to Commission approval.
3. The General Manager or a designated representative has the discretion to substitute a "Hold Harmless Release Clause" in lieu of the aforementioned insurance requirements for small events, particularly those sponsored by neighborhood associations or playground support groups.

D. FACILITIES

1. Those Recreation and Park units serving a specific function, such as baseball diamonds, tennis courts, swimming pools and areas used primarily as children's play areas, and neighborhood playgrounds will not be the site of any event that would conflict with what is intended as the primary function of that Recreation and Park unit.
2. Those Recreation and Park areas which primarily function as parks, squares or recreation facilities --- for example, Huntington Park, Alta Plaza, Alamo Square or Holly Park --- should be restricted to those events of value to the immediate neighborhood.

D. FACILITIES (Cont.)

3. In reviewing requests for the use of facilities for rallies, political or musical events, or any event requiring amplified sound, or any event which is expected to attract an audience which will reach maximum capacity of the facility, these events shall be scheduled only at those units recognized as serving a city-wide function. These units include Union Square, Candlestick Park, Civic Center Plaza, Justin Herman Park, McLaren Amphitheater, Portsmouth Square, Music Concourse, Golden Gate Park and Marx Meadow, Golden Gate Park.
4. No person, firm, or corporation shall build, construct, erect, put up, or maintain any building, structure, tent, facility, or any other thing that may be used for housing accommodations or camping, upon any park, beach, square, avenue, grounds or recreation center under the jurisdiction of the Recreation and Park Commission.
5. No person shall remain in any park, beach, square, avenue or recreation center for the purpose of sleeping or resting, either singly or in groups between the hours of 10 P.M. and 6 A.M. Special permission may be granted by staff to provide security services between said hours on any facility.
6. No person shall park, stop or leave any movable structure or special vehicle designed for sleeping purposes, or which may be used for sleeping or camping, such as a house trailer, camper truck, van or automobile, in any park, beach, square, avenue or recreation center between the hours of 10 P.M. and 6 A.M. except at designated parking lots and areas, while attending authorized events or functions.

E. GOLDEN GATE PARK

1. The Polo Field (Golden Gate Park Stadium) and Beach Chalet playing fields shall be reserved for athletic, equestrian and sports events only.
2. Speedway Meadow shall be reserved for use as a baseball field and family and group picnic area.
3. Lindley Meadow shall be reserved for small group activities, family and group picnics and nativity scenes.
4. No electronic musical instruments shall be allowed in Golden Gate Park except at Marx Meadow and the Music Concourse, the sound level of which shall not be in excess of the limit permitted pursuant to Police Code Sec. 2915. Enforcement of this provision is the responsibility of the San Francisco Police Department.
5. A single event which is expected to attract an attendance in excess of 5,000 persons shall not be granted a permit for the use of Golden Gate Park facilities except for the Music Concourse, Kezar Stadium, Kezar Pavilion, Marx Meadow and the Hall of Flowers.

E. GOLDEN GATE PARK (Cont.)

6. There shall be no sale of Street Artists' wares or arts and crafts handiwork in outdoor areas of Golden Gate Park.
7. The Commission reserves to itself the authority to issue permits for use of Kezar Stadium and Pavilion guided by the general principles contained in this resolution.

F. ATHLETIC AND AQUATIC PERMITS

The Athletic and Aquatic Division and the Community Services Staff shall review all permits and/or reservations to conduct athletic or aquatic events. In the evaluation of requests for permits, staff shall be guided by the general contents of this resolution.

G. ART SHOWS

1. It is the Commission's policy to discourage art shows of a commercial character on properties under its jurisdiction. If a permit for an art show is granted in a park or recreation facility, no commercial sales or transactions may be allowed or covertly encouraged.
2. This policy does not apply to the annual San Francisco Art Festival sponsored by the Art Commission at Civic Center Plaza, nor does it apply to the agreement reached between the City and County and the Street Artists for the use of Justin Herman Plaza, nor does it apply to the Hall of Flowers.

H. WEDDINGS

The General Manager or a designated representative is authorized to grant permits for weddings on park properties. No receptions may be held in conjunction with these ceremonies except at the Hall of Flowers. In addition, the General Manager or a designated representative is authorized to impose a fee schedule for granting of the wedding permit, said non-refundable fee schedule should be as follows:

\$10.00 for groups not exceeding 100 persons
\$20.00 for groups exceeding 100 persons

In addition, the following properties should not be authorized for weddings:

Strybing Arboretum, Golden Gate Park (except County Fairground)
Japanese Tea Garden, Golden Gate Park
Music Concourse, Golden Gate Park
Conservatory of Flowers, Golden Gate Park
Wawona Clubhouse
Sigmund Stern Grove
Lake Merced Sports Center
Palace of Fine Arts

I. MECHANICAL RIDES AND AMUSEMENT DEVICES

Permits shall not be granted for the use of any Recreation and Park facilities for mechanical rides and amusement devices except on parking lots.

J. COMMERCIAL PHOTOGRAPHY, FILMING AND RECORDING

There shall be no commercial photography, filming or recording on Recreation and Park properties unless specific permission is secured from the department. Staff is authorized to develop a schedule of fees for commercial photography and filming. The Commission reserves to itself the approval of terms developed by the Business Division for commercial recordings.

K. OTHER AGENCY APPROVALS

As a condition of the permit, staff shall require whatever other city department or agency approvals are appropriate before a permit becomes valid.

L. HOT AIR BALLOONS

The launching of hot air balloons is not permitted in highly congested areas and must meet all requirements of the FAA and San Francisco Police and Fire Departments.

City and County of San Francisco

Recreation and Park Commission



Art Agnos, Mayor

Mary E. Burns
General Manager

Keith Eickman
President

Frances McAteer
Vice President

Richard J. Guggenheimer
Tommy Harris
Jeffrey K. Mori
Connie O'Connor
Santiago Ruiz

Shauna Marie Rose
Secretary

February 1, 1989

DOCUMENTS DEPT.

FEB 7 1989

SAN FRANCISCO
PUBLIC LIBRARY

Ms. Dolores Gater
Documents Section
San Francisco Public Library
Civic Center
San Francisco, California 94102

Subject: Section 7.05 of the San Francisco Park Code
[Permit and Reservations Policy]

Dear Ms. Gater:

Section 7.05 of the San Francisco Park Code requires that the Recreation and Park Commission adopt procedures for the filing and processing of permit applications and that these procedures be on file in the Clerk of the Board of Supervisors office.

Recently, the Commission Office received a request that a copy of these procedures (more commonly known as the Permit and Reservation Policy) be on file with the Documents Section of the Main Library.

Accordingly, please find enclosed Resolution No. 15256 (the Permit and Reservations Policy) which was adopted by the Recreation and Park Commission on January 19, 1989.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Shauna Marie Rose".
Shauna Marie Rose
Commission Secretary

Enclosure

cc: Albert Walker
Civil Service Commission

FEB 7 1989

SAN FRANCISCO
PUBLIC LIBRARYRESOLUTION NO. 15256

1
2
3 SUPERSEDES RESOLUTION NO. 13094; RESOLUTION NO. 10575 - DECEMBER
4 9, 1976 AND RESOLUTION NO. 11630 - APRIL 19, 1979 AND RESOLUTION
5 NO. 12629 - OCTOBER 7, 1981 AND RESOLUTION NO. 12409 - MARCH 12,
6 1981 AND RESOLUTION NO. 14375 - MAY 15, 1986 AND RESOLUTION 14993
7 - MARCH 17, 1988.

8 WHEREAS, Section 7.05 of the Park Code requires this
9 Commission to adopt procedures for the filing and processing of
10 applications for permits to engage in the activities set forth in
11 Section 7.03; and

12 WHEREAS, Section 7.20 of the Park Code requires this
13 Commission to adopt procedures for the appeal of the denial of an
14 application for a permit to engage in the activities set forth in
15 Section 7.03; and

16 WHEREAS, various provisions of the Park Code other than
17 Section 7.03 require a permit to engage in certain activities
18 without specifying the division responsible for issuing the
19 permit or the appropriate appeal procedure; and

20 WHEREAS, the Commission recognizes that the right of
21 citizens to hold assemblies is a treasured right in our society;
22 and

23 WHEREAS, the Commission acknowledges that the use of park
24 property for public assemblies is a privilege to be exercised by
25 those who accept the attendant duty of protecting and preserving
26 park property against damage and who agree to comply with all

1 relevant laws; and

2 WHEREAS, the Commission finds that events involving 10,000
3 or more persons that are anticipated to extend more than one day
4 pose police problems if such events are substantially likely to
5 attract persons who will refuse to leave the park during the
6 night, in violation of Park Code Section 3.13 (sleeping
7 prohibited in the park at night) or who may use campers and other
8 vehicles at night, in violation of Police Code Section 97 (use of
9 vehicles for habitation at night in parks and on streets and
10 public ways prohibited); and

11 WHEREAS, the Commission also finds that events held in
12 grass areas involving 10,000 or more persons that extend more
13 than one day are substantially likely to result in significant
14 damage to the turf; and

15 WHEREAS, the Commission finds that Golden Gate Park was
16 created to offer an alternative to the urban setting so that
17 citizens would have available to them a serene, natural
18 environment for their aesthetic, athletic and recreational
19 enjoyment; and

20 WHEREAS, Golden Gate Park lands were constructed on
21 shifting sand dunes and in most areas of Golden Gate Park there
22 is only a two inch layer of top soil and an unrestricted use of
23 Golden Gate Park meadows by large crowds is substantially likely
24 to cause damage to the fragile crust of soil and surrounding
25 vegetation; and

26 WHEREAS, the Commission remains concerned that allowing an

1 unrestricted number of events involving crowds of 25,000 or more
2 in the Polo Field will result in a cumulative, long-term adverse
3 impact upon the fragile soil and vegetation at the west end of
4 Golden Gate Park; and

5 WHEREAS, the Commission reaffirms its objectives and
6 policies for Golden Gate Park as set forth in its plan for Golden
7 Gate Park, adopted pursuant to Resolution No. 11678 and amended
8 pursuant to Resolution No. 14048, wherein, among other things the
9 Commission states its policy that large gatherings may well be
10 accommodated in San Francisco parks other than Golden Gate Park
11 so as to balance the citywide recreational program and alleviate
12 wear and tear on Golden Gate Park; and

13 WHEREAS, the Commission finds that the unrestricted and
14 unregulated duration of amplified sound in Golden Gate Park has an
15 adverse impact upon the surrounding neighbors' quiet enjoyment of
16 their property and unreasonably interferes with their right of
17 privacy; now, therefore, be it

18 RESOLVED, that this Commission does hereby adopt the
19 policies and procedures stated herein for the issuance of permits
20 for the use of park property; and be it

21 FURTHER RESOLVED, that the staff shall decide which park
22 facility within the jurisdiction of this Commission is the most
23 suitable facility to accommodate the interests of the permittee;
24 provided however, that staff shall in all cases consider the
25 nature of the event, anticipated impact on the neighborhood,
26 anticipated attendance, the policies and guidelines set forth in

1 this resolution, the expertise and experience of the permittee in
2 organizing the type of event proposed, and any other facts and
3 circumstances that relate to any potential adverse impact on the
4 park property, the neighborhood or the public so long as such
5 impacts are unrelated to the content of the event.

6 I. PARK CODE SECTION 7.03 PERMIT APPLICATIONS

7 A. APPLICATION PROCEDURE

8 Except for permits for large events described below, and
9 permits for the sale of food or distribution of free food a
10 written application for a permit to perform an activity listed in
11 Section 7.03 shall be made to the Recreation and Park Department
12 at least 15 days in advance, excluding Saturdays, Sundays and
13 legal holidays, so that staff will have adequate time to process
14 requests properly, meet with parties of interest, and coordinate
15 with other affected public agencies as needed. A written
16 application for a permit to perform an activity listed in Section
17 7.03 which is a large event with an expected attendance of at
18 least 5,000 or for the sale or distribution of food shall be made
19 to the Recreation and Park Department at least 30 days in
20 advance, excluding Saturdays, Sundays and legal holidays, so that
21 staff will have adequate time to schedule meetings with the
22 permittee and other affected public agencies. The application
23 shall include the following information:

24 (a) The name, address and telephone number of the
25 applicant;

26 (b) The name(s) of all sponsoring, participating and/or

1 performing groups;

2 (c) A description of the activity for which a permit is
3 sought;

4 (d) The date, starting time, place and the estimated
5 length of time of the event;

6 (e) The number of persons that are expected to be
7 involved and the reasons for anticipating such a number;

8 (f) At least two preferred or desired locations;

9 (g) Plans or proposals, such as a transit and
10 transportation plan, detailing methodologies for minimizing
11 traffic, litter, congestion and noise at the preferred or desired
12 location and the surrounding areas that would be affected by the
13 proposed event;

14 (h) Where the applicant is an individual, the signature
15 of the applicant, and where the applicant is a person other than
16 an individual, the signature, name, address, and telephone number
17 of the individual executing the application on behalf of the
18 applicant.

19 The various time requirements for advance application may
20 be waived by the General Manager, upon request in writing by the
21 applicant, if the General Manager determines that the event or
22 events giving rise to the permit application do not reasonably
23 allow a person time to file a permit application within the
24 required time or if an unusual event or combination of events
25 renders such requirement an unreasonable restriction on the right
26 of free speech. No permit application submitted more than 365

1 days before the proposed activity may be approved.

2 B. PROCESSING PROCEDURE FOR PARK
3 CODE SECTION 7.03 ACTIVITIES

4 (a) Except for applications for the use of the Polo Field
5 for one of the four nonathletic events, fully completed permit
6 applications for the same desired location shall be processed in
7 order of receipt. Revision of an application shall not cause an
8 application to lose priority as to the location desired, unless
9 the revision includes the request for a new location.

10 (b) Fully completed permit applications for activities
11 listed in Park Code Section 7.03 received less than 30 days prior
12 to the date of the proposed event shall be processed within 10
13 days, excluding Saturdays, Sundays and legal holidays. An
14 application shall be deemed processed within 10 days if the
15 approval or denial is mailed to the address contained in the
16 permit application within 10 days after the day it is received or
17 is communicated orally within 10 days after the day it is
18 received, excluding Saturdays, Sundays, and legal holidays. A
19 copy of any written approval or denial of an application shall be
20 kept by the Recreation and Park Department and shall be made
21 available to the applicant upon request.

22 (c) Fully completed permit applications for activities
23 listed in Section 7.03 received 30 days or more before the date
24 of the proposed activity shall be processed as time allows but in
25 no event shall notice of approval or denial be mailed or
26 communicated less than 24 calendar days prior to the date of the

1 proposed activity.

2 (d) Permit applications received in less than the
3 required 15 and 30 day time limits shall be processed within a
4 reasonable time, provided that the General Manager has waived the
5 advance application requirement as set forth in Section I A
6 above. At the time that the applicant is notified of such
7 waiver, the General Manager shall inform the applicant when his
8 or her application is expected to be acted upon.

9 (e) An incomplete permit application shall be returned to
10 the applicant with an explanation as to why it is incomplete
11 whenever the Recreation and Park Department has sufficient
12 information to enable it to return the application.

13 (f) Notice of the denial of a permit application shall be
14 accompanied by a statement of the grounds upon which the
15 application was denied.

16 (g) If a permit application is revised, the time within
17 which the application must be processed shall be computed from
18 the date of the revision.

19 C. GENERAL

20 1. Permit applicants shall be advised by staff that any
21 publicity issued by the applicant before a permit has issued is
22 done at the applicant's own risk.

23 2. In order to insure that public enjoyment of park
24 properties and the public comfort, convenience, safety and
25 welfare are not disturbed and that public or private property is
26 not damaged, staff may impose reasonable conditions on approval

1 of permit applications, including but not limited to, the
2 conditions that the applicant provide debris boxes, chemical
3 toilet units, protective coverings, monitors, and security
4 personnel, (after staff consultation with the Police Department)
5 and that the applicant ensure that any stage, booth, platform,
6 tent or other erected structure complies with applicable local
7 laws.

8 3. Staff shall inform applicants of restrictions contained
9 in City ordinances regulating the use of amplified sound, of the
10 issuance of sound amplification permits by the Police Department,
11 and of the fact that sound amplification ordinances are enforced
12 by the Police Department.

13 4. Prior to issuing a permit, staff shall consult the
14 Police Department, Municipal Railway, Fire Department, Health
15 Department, Emergency Ambulance Service, Department of Public
16 Works or other relevant agency if any aspect of a permit request
17 requires action or permission from the agency. Staff may also
18 consult the advice of experts in the community in evaluating
19 which park facility is the most appropriate to accommodate the
20 proposed event.

21 5. Staff may issue one day permits for the sale of food
22 products with approval of the General Manager and the Health
23 Department. All food permits must be filed 30 days in advance of
24 the event. Staff shall have permission to authorize the serving
25 or selling of alcoholic beverages for one day permits with
26 approval of the General Manager so long as the applicant has



1 obtained the necessary approval from the Alcoholic Beverages
2 Commission (ABC).

3 6. Permittee must secure proper Health Department Notice to
4 Operate and if alcohol is involved a permit from ABC. The
5 Recreation and Park Department letter of permit and the Health
6 Department Notice to Operate must be visibly displayed on each
7 booth or location.

8 7. Prior to issuing a permit, staff shall arrange a meeting
9 of all public agencies involved in an event with the sponsors of
10 the event if staff concludes the the anticipated attendance is in
11 excess of 5,000, or if some aspect of the event would require
12 special services or permission from the affected public agencies
13 which could not be arranged through normal permit procedures or
14 by consultation with the agencies by telephone.

15 8. Staff shall process all permits without discrimination
16 with regard to race, color, religion, ancestry, national origin,
17 age, sex, political affiliation, sexual orientation, disability
18 or on any other grounds prohibited by law, of those individuals
19 or groups requesting such permits.

20 9. Material misrepresentations of fact in an application,
21 in circumstances where the applicant reasonably knew or should
22 have known the application did not contain the true facts, may be
23 considered by the General Manager in determining whether the
24 permit application should be denied or revoked because of the
25 applicant's inability to be responsible for the use of park
26 facilities in compliance with the Park Code and all applicable

1 laws, rules and regulations.

2 If staff has reason to believe that advertising or
3 publicity for an event for which an application is on file or
4 permit has been issued describes or refers to the event in a
5 manner which indicates that the event is different from that
6 described in the letter of intent or application, staff may
7 request the applicant or permittee to submit such advertising or
8 publicity material. Staff shall examine the same for the purpose
9 of determining whether there is reason to conclude that the
10 application inaccurately or incompletely describes the planned
11 event. If it so determines, in cases where the permit has not
12 been granted, staff shall immediately notify applicant of the
13 same and schedule a hearing before the General Manager to
14 determine whether the applicant must modify its application.

15 In cases where the application has been granted, staff
16 shall schedule a hearing before the General Manager for the
17 purpose of revoking the issuance of the permit in light of the
18 changed circumstances.

19 D. PERFORMANCE BONDS

20 Staff shall require performance bonds pursuant to the
21 following schedule in order to insure that property is restored
22 and cleaned at the conclusion of the permitted activity:

<u>ATTENDANCE</u>		<u>AMOUNT OF BOND</u>
100 -	1,000	\$ 500
1,000 -	3,000	1,000
3,000 -	6,000	1,500
6,001 -	9,000	2,000
9,001 -	15,000	3,000

15,001 -	25,000	3,500
25,001 -	45,000	4,000
45,001 -	75,000	6,000
75,001 -	Plus	\$ 10,000

Staff may require an applicant to pay a performance bond for events which are expected to draw an attendance of under 100 persons, so long as the amount of the performance bond is reasonably related to the anticipated costs of restoring or cleaning the property used in connection with the event.

THE PERFORMANCE BOND SHALL BE IN THE FORM OF A CASHIERS CHECK PAYABLE TO THE SAN FRANCISCO RECREATION AND PARK DEPARTMENT. The performance bond shall be returned after the event as soon as it is determined that every area of the park used in connection with the event has been cleaned and restored to the same or equivalent condition that existed immediately prior to the time permission to use the facility was granted. In no case shall the performance bond be returned unless the property is returned to its original condition or the permittee has paid the cost of cleaning and restoring the park property used in connection with the event.

When an applicant for a permit to perform an activity which is protected by the First Amendment to the U.S. Constitution and for which a performance bond must be posted produces evidence that providing a cash performance bond would be impossible or so financially burdensome that it would preclude the applicant from using park property for the proposed activity, staff shall accept property in lieu of a cash performance bond so long as the

1 property offered is of a type which will reasonably insure
2 restoration and cleaning of the property to be used. If the
3 applicant is unable to provide any such property in lieu of a
4 bond or produces evidence that he or she is indigent, the General
5 Manager may accept in its place written assurances that all
6 necessary appropriate measures will be undertaken by applicant to
7 protect park property against damage if the General Manager
8 determines that the measures proposed by the applicant will be
9 performed and will adequately protect the property.

10 If an applicant has used park property in the past pursuant
11 to a permit and has caused damage or injury to property or failed
12 to restore or clean the property at the conclusion of the
13 permitted activity, staff may require the applicant to post a
14 performance bond in an amount greater than that normally
15 required, so long as the increased amount is reasonably related
16 to the anticipated costs of restoring or cleaning the property.
17 However, if an applicant who has damaged property or failed to
18 restore or clean the property in the past has, since that
19 occurrence, used park property pursuant to a permit and has left
20 the property in good condition, the amounts normally required of
21 applicants shall apply.

22 Staff may also require an applicant to post a performance
23 bond in an amount greater than that normally required, so long as
24 the increased amount is reasonably related to the anticipated
25 costs of restoring and cleaning the property used in connection
26 with the event.

1 General Manager may waive or decrease the performance bond
2 normally required if the applicant has a history of using park
3 property pursuant to a permit and has consistently left the
4 property used in good condition and no circumstances exist which
5 indicate that the applicant might fail to restore the property
6 after the proposed event.

7 E. INSURANCE REQUIREMENTS

8 Insurance coverage of the type and amount described below
9 shall be required for the following events where the sponsor is
10 other than a governmental entity:

11 1. Any event involving groups of 1,000 or more persons;

12 2. Any event scheduled at night which takes place in whole
13 or part outdoors unless (a) the number involved is so small given
14 the type of activity involved and the location of the event that
15 staff is able to determine that the risk of harm to persons or
16 property is minimal or (b) the applicant or sponsor agrees to
17 provide lighting of sufficient strength that staff is able to
18 determine that the risk of harm to persons or property is minimal.

19 3. Any event involving animals;

20 4. Any event which involves large displays, machinery, or
21 any large physical object which could come into physical contact
22 with persons or property and cause injury;

23 5. Any race or marathon for which a permit is required
24 pursuant to Article 7 of the Park Code;

25 6. Any festival except that festivals not providing food
26 for sale or not having games which involve an element of risk do

1 not require insurance.

2 The insurance requirements are as follows: Liability
3 insurance covering all operations, including but not limited to
4 the demised premises, personal injuries and injury to property
5 for single limits of not less than \$1,000,000 applying to bodily
6 injuries (including death at any time resulting therefrom), and
7 property damage or a combination of said injuries.

8 In addition, any event at which food is sold or given to
9 persons other than those in one's own organized group must be
10 covered by the following insurance: Food Products Liability of
11 \$1,000,000 when sale of food is contemplated as part of a
12 requested permit. Conditions of sale as negotiated by the
13 Business Office shall be subject to Commission approval.

14 The normal insurance coverage requirements shall not apply
15 to applicants who propose to engage in an activity protected by
16 the First Amendment of the U.S. Constitution when the applicant
17 produces evidence that complying with those provisions is
18 impossible or so financially burdensome that it would preclude
19 the applicant from using park property for the proposed
20 activity. However, in no event shall the requirement for food
21 products liability coverage be waived when food is involved.

22 F. HOLD HARMLESS AGREEMENT

23 An applicant for any permit to engage in an activity for
24 which a performance bond or insurance coverage is normally
25 required shall also be required to sign an agreement to reimburse
26 the Recreation and Park Department for any costs incurred by it

1 in restoring damage to property caused by the action of the
2 permittee, its officers, employees, or agents, or any person who
3 was, or reasonably should have been, under the permittee's
4 control, and to defend the City against, and indemnify and hold
5 the City harmless from any liability to any person resulting from
6 any damage or injury caused by the actions of the permittee, its
7 officers, employees or agents, or any person who was or
8 reasonably should have been, under the permittee's control
9 whenever the performance bond or insurance coverage is waived.

10 G. FACILITIES

11 1. Those Recreation and Park facilities serving a specific
12 function, such as baseball diamonds, tennis courts, swimming
13 pools and areas used primarily as children's play areas and
14 neighborhood playgrounds, will not be the site of any event that
15 would conflict with what is intended as the primary function of
16 that Recreation and Park facility.

17 2. Those facilities which primarily function as
18 recreational areas for the persons residing or working in the
19 areas adjacent to them shall be used primarily for events and
20 activities designed for recreation, enjoyment or use of such
21 persons. Events which will draw persons from throughout the City
22 or beyond may be permitted in these areas only if to deny such
23 use would unreasonably burden First Amendment expression or no
24 other suitable facility is available. Examples of areas to which
25 this policy refers are Huntington Park, Alta Plaza, Alamo Square,
26 Lafayette Square, Holly Park and the Panhandle of Golden Gate

1 Park.

2 3. In reviewing requests for the use of facilities for
3 demonstrations or musical events or any event requiring amplified
4 sound staff shall schedule these events at facilities recognized
5 as serving a city-wide function. These facilities include, but
6 are not limited to, Union Square, Candlestick Park, Civic Center
7 Plaza, Justin Herman Plaza (Embarcadero Plaza), McLaren
8 Amphitheater, Portsmouth Square, Music Concourse, Kezar Stadium
9 and Marx Meadow in Golden Gate Park.

10 4. Staff shall not schedule an event at any facility if the
11 staff has reason to conclude that the event will attract an
12 audience which will exceed the maximum capacity of that
13 facility. The facilities listed below have the capacity
14 indicated:

15 10 Sq. Feet Per Person

16 Beach Chalet Playing Field		28,000
Candlestick Park Field		12,200
17 Candlestick Park Parking Lot		240,000
Kezar Field & Track		14,300
18 with seats		30,000
Lindley Meadow		23,120
19 Log Cabin Picnic Area		
	W	2,560
	E	4,480
20 Marina Green		
	W	9,216
	E	38,880
22 Marx Meadow		6,720
McLaren Amphitheater		4,320
23 Polo Field		59,360
Sharon Meadow		10,680
24 Speedway Meadow		28,920
Stern Grove Concert Area		7,460
25 with organized seating		20,000

1 5 Sq. Feet Per Person

2 Civic Center Plaza		
	North	20,726
3 Embarcadero Plaza	South	23,264
4 Music Concourse		13,068
5 Portsmouth Square with		33,120
6 Brenham Place closed		11,508
7 Union Square		6,000
8 United Nations Plaza		3,600
9 Washington Square		16,000

10 No more than two events which draw 10,000 or more people may be
11 held in the same grass area within one month. There must be at
12 least one full week between each event. Spacing of events is
13 required to allow recovery of the turf. In considering
14 applications for events in grass area which will draw 10,000 or
15 more people staff may limit sponsors to one event per month
16 provided there is a heavy demand for such permits. The foregoing
17 rule shall not be applied to Stern Grove Concert Meadow during
18 the concert season. The Polo Field and Beach Chalet playing
19 field are considered separately in section H.

20 5. Amplified sound may be permitted in Union Square,
21 Embarcadero Plaza, and Civic Center on weekdays, Monday through
22 Friday from 12 noon to 1:30 p.m. only. However, if the permittee
23 is unable to schedule the event in Union Square between 12 noon
24 and 1:30 p.m. on a weekday, amplified sound may be permitted in
25 that unit for a maximum of 2 hours in the evening hours between 5
26 p.m. and 9 p.m. Amplified sound may be permitted in Union Square
27 and Embarcadero Plaza on weekends (Saturday and Sunday) and
28 holidays from 12 noon to 2 p.m. only, except that if the

1 permittee is unable to schedule the event between 12 noon and 2
2 p.m., amplified sound may be permitted at other times, although
3 not earlier than 9 a.m. nor later than 9 p.m., provided that the
4 time for such amplified sound does not exceed 2 hours. Amplified
5 sound may be permitted in the Civic Center on weekends and
6 holidays from 9 a.m. to sunset only. If the permittee is unable
7 to schedule the event in Civic Center on weekends or holidays
8 from 9 a.m. to sunset, amplified sound may be permitted in the
9 Civic Center for a maximum of 2 hours in the evening between 5
10 p.m. and 10 p.m. Amplified sound may be permitted for a maximum
11 of 4 consecutive hours per day at Mission Dolores Park, Marina
12 Green and Washington Square on weekends and holidays from 1 p.m.
13 to sunset and on weekdays not to begin before 9 a.m. or go beyond
14 9 p.m.

15 6. Staff shall limit all permits to one day only. Special
16 permission for consecutive multiple day events may be granted by
17 the Commission who shall consider the nature of the event, the
18 proposed location, the anticipated attendance, and any other
19 facts and circumstances that relate to any potential adverse
20 impact on the park property, the neighborhood, or the public so
21 long as such impacts are unrelated to the content of the event.

22 7. The Commission finds that Union Square and the Civic
23 Center are in great demand for activities and events by many
24 different persons and organizations and that approval of
25 applications received from one person or organization for use of
26 these facilities for numerous multiple dates unfairly restricts

1 the number of persons who may use them. In considering
2 applications for permits to use these facilities, staff may
3 require the applicant to move the proposed event to another
4 location if the applicant has used the facility requested on
5 numerous occasions in the previous two months.

6 H. GOLDEN GATE PARK

7 1. The Polo Field (Golden Gate Park Stadium) shall be
8 reserved for athletic, equestrian and sports events on a priority
9 basis. Four open dates shall be designated for
10 nonathletic/nonsports events drawing at least 25,000 persons.
11 These dates shall be available to the public on the first working
12 Monday of each year. It shall be the policy of this Commission
13 that these dates be designated one each in the months of May,
14 July, September and October to allow for turf recovery and that
15 these dates must be at least 6 weeks apart.

16 The first business day of March is the cutoff date for
17 interested applicants to submit completed applications for the
18 May date at the Polo Field for a nonathletic/nonsports event
19 drawing at least 25,000 persons. The first business day of May
20 is the cutoff date for interested applicants to submit completed
21 applications for the July date at the Polo Field for a
22 nonathletic/nonsports event drawing at least 25,000 persons. The
23 first business day of July is the cutoff date for interested
24 applicants to submit completed applications for the September
25 date at the Polo Field for a nonathletic/nonsports event drawing
26 at least 25,000 persons. The first business day of August is the

1 cutoff date for interested applicants to submit completed
2 applications for the October date at the Polo Field for a
3 nonathletic/nonsports event drawing at least 25,000 persons.
4 Once all of the completed applications are received for a given
5 date they will be evaluated by the staff. A lottery system will
6 be used only if there are two or more applications for a given
7 date. In considering applications for the use of the Polo Field
8 for a nonathletic/nonsports event which will draw 25,000 or more
9 persons, staff may limit sponsors to one date provided there is a
10 heavy demand for such permits.

11 2. Beach Chalet playing fields shall be reserved for
12 athletic and sports events only.

13 3. Speedway Meadow shall be reserved for use primarily as a
14 group picnic area. This area may also be used for large
15 assemblies as set forth in Section G 4.

16 4. Permits for events which require amplified sound permits
17 issued by the Police Department shall be allowed at the Music
18 Concourse and Kezar Stadium between the hours of 9:00 a.m. and
19 5:00 p.m. daily; provided, however, that a maximum of 4 hours of
20 amplified sound per day, no more than 3 days per week shall be
21 allowed at Kezar Stadium.

22 Permits for events which require amplified sound permits
23 issued by the Police Department shall also be allowed at the Polo
24 Field and Marx Meadow between the hours of 10:00 a.m. and 5:00
25 p.m. daily; provided, however, that in no case shall amplified
26 sound before, during and after a nonathletic, equestrian or

1 sports event exceed a total of 4 consecutive hours of amplified
2 sound per day and no more than 12 consecutive hours in a week in
3 the west end of Golden Gate Park.

4 Any permit which requires a sound permit issued by the
5 Police Department as part of an athletic, sports or equestrian
6 event at the Polo Field or Beach Chalet playing field shall in no
7 case allow amplified sound before, during, and after an event in
8 excess of a total of 2 hours. Nothing herein shall be construed
9 to restrict play by play amplified announcements germane to
10 broadcasting athletic, equestrian or sports events at the Polo
11 Field, Beach Chalet playing field, Bercut Field or Kezar Stadium.

12 In all events involving amplified sound the sound level
13 shall not exceed the limit permitted pursuant to applicable
14 provisions of the Police Code. In addition, staff shall not
15 allow more than one event for which an amplified sound permit is
16 required in the west end of Golden Gate Park on a given day;
17 provided further that in order to minimize the impact of noise in
18 the west end of Golden Gate Park on weekends and holidays, staff
19 shall not schedule events with amplified sound for which a sound
20 permit is required, for two consecutive days during a weekend or
21 a weekend holiday of any given week in the west end of Golden
22 Gate Park.

23 5. Except by special permission of the General Manager,
24 there shall be no sale of Street Artists' wares or arts and
25 crafts handiwork in outdoor areas of Golden Gate Park.

26 / / /

1 I. WEDDINGS

2 The following properties are authorized for weddings:
3 Chinese Pavilion, Rose Garden, Wilhemina Tulip Garden,
4 Shakespeare Garden, Rhododendron Dell, Metson Lake, Liberty Tree,
5 Hoover Redwood Grove, George Washington Bicentennial, Elk Glen,
6 the Conservatory, Stern Grove, Pioneer Log Cabin, Marx Meadow,
7 the lawn area and courtyard of the Legion of Honor, Chain of
8 Lakes area. Weddings in other areas shall be by special
9 permission of the General Manager only.

10 J. MECHANICAL RIDES AND AMUSEMENT DEVICES

11 Permits shall not be granted for the installation and use
12 of portable mechanical rides and amusement devices on any
13 Recreation and Park facility.

14 K. APPEAL PROCEDURE

15 (a) An applicant for a permit to perform acts described
16 in Park Code Section 7.03 may appeal the denial of a permit
17 application or revocation of a permit by filing with the
18 Secretary of the Recreation and Park Commission a written request
19 for a hearing. The request for a hearing shall state succinctly
20 the grounds upon which it is asserted that the determination of
21 the General Manager should be modified or reversed.

22 (b) Once an appeal has been filed, the Secretary shall
23 place the matter on the agenda of the appropriate committee of
24 the Commission for its next regularly scheduled meeting and on
25 the agenda of the Commission for its next regularly scheduled
26 meeting. However, the General Manager may place the matter on

1 the agenda of the Commission for its next regularly scheduled
2 meeting without placing the matter on the agenda of the
3 appropriate committee of the Commission.

4 (c) The Commission shall afford the applicant an
5 opportunity for a hearing and may reverse, affirm or modify in
6 any regard the determination of the General Manager concerning
7 the denial of a permit application or revocation of a permit.
8 When the Commission affirms the denial of a permit application or
9 revocation of a permit, such a decision shall be based on one or
10 more of the reasons listed in Section 7.07 of the Park Code.

11 (d) The Commission shall give the applicant written
12 notice of its decision within 3 days after the hearing,
13 Saturdays, Sundays, and legal holidays excluded. Such notice
14 shall be mailed to the applicant at the address contained in the
15 request for a hearing or, if none, in the permit application.
16 The Secretary of the Commission shall keep a copy of the notice
17 on file to be made available to the applicant upon request. When
18 the Commission affirms the denial of the permit application or
19 revocation of a permit or does not approve the permit application
20 as originally made, it shall include within the written notice to
21 the applicant the reasons for the decision and a specification of
22 findings of fact on which the decision is based.

23 (e) A person whose permit application has been denied or
24 permit revoked may file in a timely manner a request for an
25 expedited appeal if the regular appeal procedure, set forth
26 above, would deprive the person of a hearing before the

1 Commission prior to the date of the proposed activity for which a
2 permit is sought and a postponement of the date of the proposed
3 activity would prejudice the applicant.

4 (f) The Commission shall afford an expedited appeal by
5 providing a hearing and a written notice of its decision within
6 72 hours of the time that the written request for a hearing is
7 filed with the Secretary of the Commission. The written notice
8 shall be filed with the Secretary of the Commission who shall
9 give it to the applicant upon request. If the expiration of the
10 72-hour period does not fall during regular business hours of the
11 Recreation and Park Department, the Commission shall, at the time
12 of the hearing, arrange with the applicant a procedure for making
13 the decision available within 72 hours.

14 (g) If a quorum of the Commission cannot be convened
15 within the 72-hour period in order to provide an expedited
16 appeal, the hearing and written notice of decision shall be
17 provided by the General Manager. This duty shall be performed by
18 the General Manager or, in the absence of the General Manager, by
19 the Acting General Manager, and shall not be delegated.

20 (h) The determinations as to whether the request for an
21 expedited appeal has been filed in a timely manner and whether
22 postponement of the date of the proposed activity would prejudice
23 the applicant shall be made by the General Manager and the
24 decision of the General Manager on these issues shall be final.
25 The General Manager shall not deny an applicant an expedited
26 appeal without affording the applicant an opportunity to be heard

1 on the issues described. This duty shall be performed by the
2 General Manager or, in the absence of the General Manager, by the
3 Acting General Manager, and shall not be delegated.

4 (i) All the procedures established for a regular appeal,
5 other than those pertaining to time, are the same as to an
6 expedited appeal, unless otherwise noted.

7 II. MISCELLANEOUS PERMIT APPLICATION PROCEDURES

8 Launching Boats or Other Water Craft

9 The Business Division shall be responsible for concession
10 agreements whereby a person or entity provides water craft for
11 use by the public for a fee.

12 Application for a permit to launch water craft other than
13 through concession agreements shall be made to the Superintendent
14 of Parks.

15 Sign Posting

16 Whenever approval is sought to post a sign in any park,
17 such approval shall be sought from the division noted below:

18 Signs posted giving directions to an event for which
19 permit has been issued, from the Division which issued the permit.

20 Signs posted by persons or organizations maintaining and
21 operating recreational facilities on park property on a daily
22 basis, from the Superintendent of Parks.

23 Athletic Instruction for Compensation

24 Application for permission to provide athletic instruction
25 for compensation shall be made to the Business Division.

26 Launching Airplanes, Helicopters, Hot Air Balloons or Other

1 Apparatus of Aviation

2 Application for such permits shall be made to the Permits
3 and Reservation Section.

4 Peddling Goods, Wares or Merchandise

5 Application for such permits shall be made to the Permits
6 and Reservation Section if the sale is to take place only one
7 day, and otherwise to the Business Division.

8 Camping

9 Application for permits to construct or maintain camping or
10 housing accommodations shall be made to the Permits and
11 Reservation Section.

12 Sleeping Overnight

13 Application for permits to sleep between 10:00 p.m. and
14 6:00 a.m. in order to provide security services shall be made to
15 the Permits and Reservation Section.

16 Performance of Labor, Deposit of Building Material

17 Application for permission to remove any tree, wood, bush,
18 turf, shrub, flower, plant, grass, soil, rock or similar thing
19 shall be made to the Superintendent of Parks.

20 Alcoholic Beverages

21 Application for permission to consume alcoholic beverages
22 shall be made, as to playgrounds, to the Community Services
23 Section, and, as to all other locations, to the Permits and
24 Reservation Section.

25 Soliciting Passengers for Vehicles for Hire

26 Application for permission to establish or maintain any

1 stand or other equipment for procuring customers for any vehicle
2 let or used for hire shall be made to the Business Division.

3 Commercial Photography, Filming, Recording

4 Application for permission to engage in commercial
5 photography, filming or recording shall be made to the Film
6 Permit Coordinator.

7 III. GENERAL APPEAL PROCEDURES FOR DENIAL OF PERMIT APPLICATIONS

8 Denial by staff of an application for a permit to engage in
9 an activity described in this resolution, other than activities
10 described in Park Code Section 7.03, may be appealed to the
11 Recreation and Park Commission in the same manner as a regular or
12 expedited appeal as set forth in Section I. K. In addition,
13 denial by staff of an application for permission to use a
14 building on park property may be appealed to the Commission, in
15 the same manner as a regular or expedited appeal as set forth in
16 Section I. K.

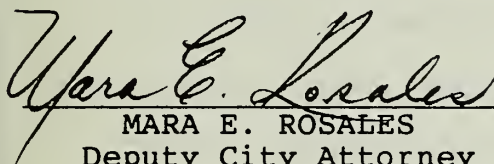
17 IV. STAFF REVIEW OF REGULATIONS

18 The Commission directs the General Manager and staff to
19 continue to evaluate the viability of these regulations and to
20 ascertain whether this scheme strikes the proper balance between
21 the recreational, constitutional and property interests of San
22 Franciscans heretofore mentioned and the Commission's substantial
23 interest in preserving park property, limiting excessive noise
24 and congestion and other police problems that may result from
25 activities on park property. The General Manager shall report to
26 this Commission its findings as to this issue no later than the

1 first and seventh Commission meetings of each calendar year.

2
3 APPROVED AS TO FORM:

4 LOUISE H. RENNE, City Attorney

5 
6 MARA E. ROSALES
7 Deputy City Attorney

8 3782g

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SF Recreation & Park Commission
- Permit & Reservation
Policy
7/20/89

DOCUMENTS DEPT.

AUG 3 1989

RESOLUTION NO. 15431 SAN FRANCISCO
PUBLIC LIBRARY

SUPERSEDES RESOLUTION NO. 13094; RESOLUTION NO. 10575 - DECEMBER 9, 1976
AND RESOLUTION NO. 11630 - APRIL 19, 1979 AND RESOLUTION NO. 12629 -
OCTOBER 7, 1981 AND RESOLUTION NO. 12409 - MARCH 12, 1981 AND RESOLUTION
NO. 14375 - MAY 15, 1986 AND RESOLUTION 14993 - MARCH 17, 1988 AND
RESOLUTION NO. 15256 - JANUARY 19, 1989.

WHEREAS, Section 7.05 of the Park Code requires this Commission to
adopt procedures for the filing and processing of applications for
permits to engage in the activities set forth in Section 7.03; and

WHEREAS, Section 7.20 of the Park Code requires this Commission to
adopt procedures for the appeal of the denial of an application for a
permit to engage in the activities set forth in Section 7.03; and

WHEREAS, various provisions of the Park Code other than Section
7.03 require a permit to engage in certain activities without specifying
the division responsible for issuing the permit or the appropriate appeal
procedure; and

WHEREAS, the Commission recognizes that the right of citi-
zens to hold assemblies is a treasured right in our society; and

WHEREAS, the Commission acknowledges that the use of park
property for public assemblies is a privilege to be exercised by those
who accept the attendant duty of protecting and preserving park property
against damage and who agree to comply with all relevant laws; and

WHEREAS, the Commission finds that events involving 10,000 or more
persons that are anticipated to extend more than one day pose police
problems if such events are substantially likely to attract persons who

1 will refuse to leave the park during the night, in violation of Park Code
2 Section 3.13 (sleeping prohibited in the park at night) or who may use
3 campers and other vehicles at night, in violation of Police Code Section
4 97 (use of vehicles for habitation at night in parks and on streets and
5 public ways prohibited); and

6 WHEREAS, the Commission also finds that events held in grass areas
7 involving 10,000 or more persons that extend more than one day are
8 substantially likely to result in significant damage to the turf; and

9 WHEREAS, the Commission finds that Golden Gate Park was created to
10 offer an alternative to the urban setting so that citizens would have
11 available to them a serene, natural environment for their aesthetic,
12 athletic and recreational enjoyment; and

13 WHEREAS, Golden Gate Park lands were constructed on shifting sand
14 dunes and in most areas of Golden Gate Park there is only a two inch
15 layer of top soil and an unrestricted use of Golden Gate Park meadows by
16 large crowds is substantially likely to cause damage to the fragile crust
17 of soil and surrounding vegetation; and

18 WHEREAS, the Commission remains concerned that allowing an
19 unrestricted number of events involving crowds of 25,000 or more in the
20 Polo Field will result in a cumulative, long-term adverse impact upon the
21 fragile soil and vegetation at the west end of Golden Gate Park; and

22 WHEREAS, the Commission reaffirms its objectives and policies for
23 Golden Gate Park as set forth in its plan for Golden Gate Park, adopted
24 pursuant to Resolution No. 11678 and amended pursuant to Resolution No.
25 14048, wherein, among other things the Commission states its policy that
26 large gatherings may well be accommodated in San Francisco parks other

1 than Golden Gate Park so as to balance the city-wide recreational program
2 and alleviate wear and tear on Golden Gate Park; and

3 WHEREAS, the Commission finds that the unrestricted and unregulated
4 duration of amplified sound in Golden Gate Park has an adverse impact
5 upon the surrounding neighbors' quiet enjoyment of their property and
6 unreasonably interferes with their right of privacy; now, therefore, be
7 it

8 RESOLVED, that this Commission does hereby adopt the policies and
9 procedures stated herein for the issuance of permits
10 for the use of park property; and be it

11 FURTHER RESOLVED, that the staff shall decide which park facility
12 within the jurisdiction of this Commission is the most suitable facility
13 to accommodate the interests of the permittee; provided however, that
14 staff shall in all cases consider the nature of the event, anticipated
15 impact on the neighborhood, anticipated attendance, the policies and
16 guidelines set forth in this resolution, the expertise and experience of
17 the permittee in organizing the type of event proposed, and any other
18 facts and circumstances that relate to any potential adverse impact on
19 the park property, the neighborhood or the public so long as such impacts
20 are unrelated to the content of the event.

21 I. PARK CODE SECTION 7.03 PERMIT APPLICATIONS

22 A. APPLICATION PROCEDURE

23 Except for permits for large events described below, and permits
24 for the sale of food or distribution of free food a written application
25 for a permit to perform an activity listed in Section 7.03 shall be made
26 to the Recreation and Park Department at least 15 days in advance,

1 excluding Saturdays, Sundays and legal holidays, so that staff will have
2 adequate time to process requests properly, meet with parties of
3 interest, and coordinate with other affected public agencies as needed.

4 A written application for a permit to perform an activity listed in
5 Section 7.03 which is a large event with an expected attendance of at
6 least 5,000 or for the sale or distribution of food shall be made to the
7 Recreation and Park Department at least 30 days in advance, excluding
8 Saturdays, Sundays and legal holidays, so that staff will have adequate
9 time to schedule meetings with the permittee and other affected public
10 agencies. The application shall include the following information:

11 (a) The name, address and telephone number of the applicant;

12 (b) The name(s) of all sponsoring, participating and/or
13 performing groups;

14 (c) A description of the activity for which a permit is sought;

15 (d) The date, starting time, place and the estimated length of
16 time of the event;

17 (e) The number of persons that are expected to be involved and
18 the reasons for anticipating such a number;

19 (f) At least two preferred or desired locations;

20 (g) Plans or proposals, such as a transit and transportation
21 plan, detailing methodologies for minimizing traffic, litter, congestion
22 and noise at the preferred or desired location and the surrounding areas
23 that would be affected by the proposed event;

24 (h) Where the applicant is an individual, the signature of the
25 applicant, and where the applicant is a person other than an individual,

26 / / /

1 the signature, name, address, and telephone number of the individual
2 executing the application on behalf of the applicant.

3 The various time requirements for advance application may be waived
4 by the General Manager, upon request in writing by the applicant, if the
5 General Manager determines that the event or events giving rise to the
6 permit application do not reasonably allow a person time to file a permit
7 application within the required time or if an unusual event or
8 combination of events renders such requirement an unreasonable
9 restriction on the right of free speech. No permit application submitted
10 more than 365 days before the proposed activity may be approved.

11 B. PROCESSING PROCEDURE FOR PARK CODE
12 SECTION 7.03 ACTIVITIES

13 (a) Except for applications for the use of the Polo Field for one
14 of the four nonathletic events, fully completed permit applications for
15 the same desired location shall be processed in order of receipt.
16 Revision of an application shall not cause an application to lose
17 priority as to the location desired, unless the revision includes the
18 request for a new location.

19 (b) Fully completed permit applications for activities listed in
20 Park Code Section 7.03 received less than 30 days prior to the date of
21 the proposed event shall be processed within 10 days, excluding
22 Saturdays, Sundays and legal holidays. An application shall be deemed
23 processed within 10 days if the approval or denial is mailed to the
24 address contained in the permit application within 10 days after the day
25 it is received or is communicated orally within 10 days after the day it
26 is received, excluding Saturdays, Sundays, and legal holidays. A copy of

1 any written approval or denial of an application shall be kept by the
2 Recreation and Park Department and shall be made available to the
3 applicant upon request.

4 (c) Fully completed permit applications for activities listed in
5 Section 7.03 received 30 days or more before the date of the proposed
6 activity shall be processed as time allows but in no event shall notice
7 of approval or denial be mailed or communicated less than 24 calendar
8 days prior to the date of the proposed activity.

9 (d) Permit applications received in less than the required 15 and
10 30 day time limits shall be processed within a reasonable time, provided
11 that the General Manager has waived the advance application requirement
12 as set forth in Section I A above. At the time that the applicant is
13 notified of such waiver, the General Manager shall inform the applicant
14 when his or her application is expected to be acted upon.

15 (e) An incomplete permit application shall be returned to the
16 applicant with an explanation as to why it is incomplete whenever the
17 Recreation and Park Department has sufficient information to enable it to
18 return the application.

19 (f) Notice of the denial of a permit application shall be
20 accompanied by a statement of the grounds upon which the application was
21 denied.

22 (g) If a permit application is revised, the time within which the
23 application must be processed shall be computed from the date of the
24 revision.

25 / / /

26 / / /

1 C. GENERAL

2 1. Permit applicants shall be advised by staff that any
3 publicity issued by the applicant before a permit has issued is done at
4 the applicant's own risk.

5 2. In order to insure that public enjoyment of park properties
6 and the public comfort, convenience, safety and welfare are not disturbed
7 and that public or private property is not damaged, staff may impose
8 reasonable conditions on approval of permit applications, including but
9 not limited to, the conditions that the applicant provide debris boxes,
10 chemical toilet units, protective coverings, monitors, and security
11 personnel, (after staff consultation with the Police Department) and that
12 the applicant ensure that any stage, booth, platform, tent or other
13 erected structure complies with applicable local laws.

14 3. Staff shall inform applicants of restrictions contained in
15 City ordinances regulating the use of amplified sound, of the issuance of
16 sound amplification permits by the Police Department, and of the fact
17 that sound amplification ordinances are enforced by the Police Department.

18 4. Prior to issuing a permit, staff shall consult the Police
19 Department, Municipal Railway, Fire Department, Health Department,
20 Emergency Ambulance Service, Department of Public Works or other relevant
21 agency if any aspect of a permit request requires action or permission
22 from the agency. Staff may also consult the advice of experts in the
23 community in evaluating which park facility is the most appropriate to
24 accommodate the proposed event. On any request for a permit for an event
25 which will draw over 5,000 persons, staff shall require the applicant to
26 recycle any newspaper, glass or aluminum items generated by the event.

1 The term "recycle" shall mean and include packaging newspaper, glass and
2 aluminum items separately and making arrangements to have these items
3 delivered to neighborhood recycling centers in the City. In consultation
4 with staff permittees may make other arrangements for the disposal of
5 recyclable items.

6 5. Staff may issue one day permits for the sale of food products
7 with approval of the General Manager and the Health Department. All food
8 permits must be filed 30 days in advance of the event. Staff shall have
9 permission to authorize the serving or selling of alcoholic beverages for
10 one day permits with approval of the General Manager so long as the
11 applicant has obtained the necessary approval from the Alcoholic
12 Beverages Commission (ABC).

13 6. Permittee must secure proper Health Department Notice to
14 Operate and if alcohol is involved a permit from ABC. The Recreation and
15 Park Department letter of permit and the Health Department Notice to
16 Operate must be visibly displayed on each booth or location.

17 7. Prior to issuing a permit, staff shall arrange a meeting of
18 all public agencies involved in an event with the sponsors of the event
19 if staff concludes the the anticipated attendance is in excess of 5,000,
20 or if some aspect of the event would require special services or
21 permission from the affected public agencies which could not be arranged
22 through normal permit procedures or by consultation with the agencies by
23 telephone.

24 8. The sale and use of mylar balloons on all park facilities is
25 prohibited.

26 / / /

1 9. The release of helium balloons on all park facilities is
2 prohibited.

3 10. Staff shall advise applicants of the Board of Supervisors'
4 policy against the use of food packaging items which contain
5 chlorofluorocarbons, commonly referred to as styrofoam. Staff shall
6 advise applicants that the use of styrofoam products (defined in San
7 Francisco Health Code Sections 469.1 (a) (b) (d) (e)) on all park
8 facilities is prohibited.

9 11. The General Manager may enter into an agreement with a
10 nonprofit organization seeking to use park property to waive the
11 applicable use fees in exchange for receiving services that may be
12 provided to the City, provided that the value of the fees waived does not
13 exceed the value of the services rendered.

14 12. Staff shall process all permits without discrimination with
15 regard to race, color, religion, ancestry, national origin, age, sex,
16 political affiliation, sexual orientation, disability or on any other
17 grounds prohibited by law, of those individuals or groups requesting such
18 permits.

19 13. Material misrepresentations of fact in an application, in
20 circumstances where the applicant reasonably knew or should have known
21 the application did not contain the true facts, may be considered by the
22 General Manager in determining whether the permit application should be
23 denied or revoked because of the applicant's inability to be responsible
24 for the use of park facilities in compliance with the Park Code and all
25 applicable laws, rules and regulations.

26 / / /

1 If staff has reason to believe that advertising or publicity for an
2 event for which an application is on file or permit has been issued
3 describes or refers to the event in a manner which indicates that the
4 event is different from that described in the letter of intent or
5 application, staff may request the applicant or permittee to submit such
6 advertising or publicity material. Staff shall examine the same for the
7 purpose of determining whether there is reason to conclude that the
8 application inaccurately or incompletely describes the planned event. If
9 it so determines, in cases where the permit has not been granted, staff
10 shall immediately notify applicant of the same and schedule a hearing
11 before the General Manager to determine whether the applicant must modify
12 its application.

13 In cases where the application has been granted, staff shall
14 schedule a hearing before the General Manager for the purpose of revoking
15 the issuance of the permit in light of the changed circumstances.

16 D. PERFORMANCE BONDS

17 Staff shall require performance bonds pursuant to the following
18 schedule in order to insure that property is restored and cleaned at the
19 conclusion of the permitted activity:

<u>ATTENDANCE</u>	<u>AMOUNT OF BOND</u>
100 - 1,000	\$ 500
1,000 - 3,000	1,000
3,000 - 6,000	1,500
6,001 - 9,000	2,000
9,001 - 15,000	3,000
15,001 - 25,000	3,500
25,001 - 45,000	4,000
45,001 - 75,000	6,000
75,001 - Plus	\$ 10,000

1 Staff may require an applicant to pay a performance bond for events
2 which are expected to draw an attendance of under 100 persons, so long as
3 the amount of the performance bond is reasonably related to the
4 anticipated costs of restoring or cleaning the property used in
5 connection with the event.

6 THE PERFORMANCE BOND SHALL BE IN THE FORM OF A CASHIERS CHECK
7 PAYABLE TO THE SAN FRANCISCO RECREATION AND PARK DEPARTMENT. The
8 performance bond shall be returned after the event as soon as it is
9 determined that every area of the park used in connection with the event
10 has been cleaned and restored to the same or equivalent condition that
11 existed immediately prior to the time permission to use the facility was
12 granted. In no case shall the performance bond be returned unless the
13 property is returned to its original condition or the permittee has paid
14 the cost of cleaning and restoring the park property used in connection
15 with the event.

16 When an applicant for a permit to perform an activity which is
17 protected by the First Amendment to the U.S. Constitution and for which a
18 performance bond must be posted produces evidence that providing a cash
19 performance bond would be impossible or so financially burdensome that it
20 would preclude the applicant from using park property for the proposed
21 activity, staff shall accept property in lieu of a cash performance bond
22 so long as the property offered is of a type which will reasonably insure
23 restoration and cleaning of the property to be used. If the applicant is
24 unable to provide any such property in lieu of a bond or produces
25 evidence that he or she is indigent, the General Manager may accept in
26 its place written assurances that all necessary appropriate measures will

1 be undertaken by applicant to protect park property against damage if the
2 General Manager determines that the measures proposed by the applicant
3 will be performed and will adequately protect the property.

4 If an applicant has used park property in the past pursuant to a
5 permit and has caused damage or injury to property or failed to restore
6 or clean the property at the conclusion of the permitted activity, staff
7 may require the applicant to post a performance bond in an amount greater
8 than that normally required, so long as the increased amount is
9 reasonably related to the anticipated costs of restoring or cleaning the
10 property. However, if an applicant who has damaged property or failed to
11 restore or clean the property in the past has, since that occurrence,
12 used park property pursuant to a permit and has left the property in good
13 condition, the amounts normally required of applicants shall apply.

14 Staff may also require an applicant to post a performance bond in
15 an amount greater than that normally required, so long as the increased
16 amount is reasonably related to the anticipated costs of restoring and
17 cleaning the property used in connection with the event.

18 General Manager may waive or decrease the performance bond normally
19 required if the applicant has a history of using park property pursuant
20 to a permit and has consistently left the property used in good condition
21 and no circumstances exist which indicate that the applicant might fail
22 to restore the property after the proposed event.

23 E. INSURANCE REQUIREMENTS

24 Insurance coverage of the type and amount described below shall be
25 required for the following events where the sponsor is other than a
26 governmental entity:

1 1. Any event involving groups of 1,000 or more persons;

2 2. Any event scheduled at night which takes place in whole or part
3 outdoors unless (a) the number involved is so small given the type of
4 activity involved and the location of the event that staff is able to
5 determine that the risk of harm to persons or property is minimal or (b)
6 the applicant or sponsor agrees to provide lighting of sufficient
7 strength that staff is able to determine that the risk of harm to persons
8 or property is minimal.

9 3. Any event involving animals;

10 4. Any event which involves large displays, machinery, or any large
11 physical object which could come into physical contact with persons or
12 property and cause injury;

13 5. Any race or marathon for which a permit is required pursuant to
14 Article 7 of the Park Code;

15 6. Any festival except that festivals not providing food for sale
16 or not having games which involve an element of risk do not require
17 insurance.

18 The insurance requirements are as follows: Liability insurance
19 covering all operations, including but not limited to the demised
20 premises, personal injuries and injury to property for single limits of
21 not less than \$1,000,000 applying to bodily injuries (including death at
22 any time resulting therefrom), and property damage or a combination of
23 said injuries.

24 In addition, any event at which food is sold or given to persons
25 other than those in one's own organized group must be covered by the
26 following insurance: Food Products Liability of \$1,000,000 when sale of

1 food is contemplated as part of a requested permit. Conditions of sale
2 as negotiated by the Business Office shall be subject to Commission
3 approval.

4 The normal insurance coverage requirements shall not apply to
5 applicants who propose to engage in an activity protected by the First
6 Amendment of the U.S. Constitution when the applicant produces evidence
7 that complying with those provisions is impossible or so financially
8 burdensome that it would preclude the applicant from using park property
9 for the proposed activity. However, in no event shall the requirement
10 for food products liability coverage be waived when food is involved.

11 F. HOLD HARMLESS AGREEMENT

12 An applicant for any permit to engage in an activity for which a
13 performance bond or insurance coverage is normally required shall also be
14 required to sign an agreement to reimburse the Recreation and Park
15 Department for any costs incurred by it in restoring damage to property
16 caused by the action of the permittee, its officers, employees, or
17 agents, or any person who was, or reasonably should have been, under the
18 permittee's control, and to defend the City against, and indemnify and
19 hold the City harmless from any liability to any person resulting from
20 any damage or injury caused by the actions of the permittee, its
21 officers, employees or agents, or any person who was or
22 reasonably should have been, under the permittee's control whenever the
23 performance bond or insurance coverage is waived.

24 G. FACILITIES

25 1. Those Recreation and Park facilities serving a specific
26 function, such as baseball diamonds, tennis courts, swimming pools and

1 areas used primarily as children's play areas and neighborhood
2 playgrounds, will not be the site of any event that would conflict with
3 what is intended as the primary function of that Recreation and Park
4 facility.

5 2. Those facilities which primarily function as recreational areas
6 for the persons residing or working in the areas adjacent to them shall
7 be used primarily for events and activities designed for recreation,
8 enjoyment or use of such persons. Events which will draw persons from
9 throughout the City or beyond may be permitted in these areas only if to
10 deny such use would unreasonably burden First Amendment expression or no
11 other suitable facility is available. Examples of areas to which this
12 policy refers are Huntington Park, Alta Plaza, Alamo Square, Lafayette
13 Square, Holly Park and the Panhandle of Golden Gate Park.

14 3. In reviewing requests for the use of facilities for
15 demonstrations or musical events or any event requiring amplified sound
16 staff shall schedule these events at facilities recognized as serving a
17 city-wide function. These facilities include, but are not limited to,
18 Union Square, Candlestick Park, Civic Center Plaza, Justin Herman Plaza
19 (Embarcadero Plaza), McLaren Amphitheater, Portsmouth Square, Music
20 Concourse, Kezar Stadium and Marx Meadow in Golden Gate Park.

21 4. Staff shall not schedule an event at any facility if the staff
22 has reason to conclude that the event will attract an audience which will

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1 exceed the maximum capacity of that facility. The facilities listed
2 below have the capacity indicated:

3 10 Sq. Feet Per Person

4 Beach Chalet Playing Field	28,000
Candlestick Park Field	12,200
5 Candlestick Park Parking Lot	240,000
Kezar Field & Track	14,300
6 with seats	30,000
Lindley Meadow	23,120
7 Log Cabin Picnic Area	
	W 2,560
	E 4,480
8 Marina Green	
	W 9,216
	E 38,880
10 Marx Meadow	6,720
McLaren Amphitheater	4,320
11 Polo Field	59,360
Sharon Meadow	10,680
12 Speedway Meadow	28,920
Stern Grove Concert Area	7,460
13 with organized seating	20,000

14
15 5 Sq. Feet Per Person

16 Civic Center Plaza	
	North 20,726
	South 23,264
17 Embarcadero Plaza	13,068
Music Concourse	33,120
18 Portsmouth Square with	
Brenham Place closed	11,508
19 Union Square	6,000
United Nations Plaza	3,600
20 Washington Square	16,000

21
22 No more than two events which draw 10,000 or more people may be held in
23 the same grass area within one month. There must be at least one full
24 week between each event. Spacing of events is required to allow recovery
25 of the turf. In considering applications for events in grass area which
26 will draw 10,000 or more people staff may limit sponsors to one event per

1 month provided there is a heavy demand for such permits. The foregoing
2 rule shall not be applied to Stern Grove Concert Meadow during the
3 concert season. The Polo Field and Beach Chalet playing field are
4 considered separately in section H.

5 5. Amplified sound may be permitted in Union Square, Embarcadero
6 Plaza, and Civic Center on weekdays, Monday through Friday from 12 noon
7 to 1:30 p.m. only. However, if the permittee is unable to schedule the
8 event in Union Square between 12 noon and 1:30 p.m. on a weekday,
9 amplified sound may be permitted in that unit for a maximum of 2 hours in
10 the evening hours between 5 p.m. and 9 p.m. Amplified sound may be
11 permitted in Union Square and Embarcadero Plaza on weekends (Saturday and
12 Sunday) and holidays from 12 noon to 2 p.m. only, except that if the
13 permittee is unable to schedule the event between 12 noon and 2 p.m.,
14 amplified sound may be permitted at other times, although not earlier
15 than 9 a.m. nor later than 9 p.m., provided that the time for such
16 amplified sound does not exceed 2 hours. Amplified sound may be
17 permitted in the Civic Center on weekends and holidays from 9 a.m. to
18 sunset only. If the permittee is unable to schedule the event in Civic
19 Center on weekends or holidays from 9 a.m. to sunset, amplified sound may
20 be permitted in the Civic Center for a maximum of 2 hours in the evening
21 between 5 p.m. and 10 p.m. Amplified sound may be permitted for a
22 maximum of 4 consecutive hours per day at Mission Dolores Park, Marina
23 Green and Washington Square on weekends and holidays from 1 p.m. to
24 sunset and on weekdays not to begin before 9 a.m. or go beyond 9 p.m.

25 6. Staff shall limit all permits to one day only. Special
26 permission for consecutive multiple day events may be granted by the

1 Commission who shall consider the nature of the event, the proposed
2 location, the anticipated attendance, and any other facts and
3 circumstances that relate to any potential adverse impact on the park
4 property, the neighborhood, or the public so long as such impacts are
5 unrelated to the content of the event.

6 7. The Commission finds that Union Square and the Civic Center are
7 in great demand for activities and events by many different persons and
8 organizations and that approval of applications received from one person
9 or organization for use of these facilities for numerous multiple dates
10 unfairly restricts the number of persons who may use them. In
11 considering applications for permits to use these facilities, staff may
12 require the applicant to move the proposed event to another location if
13 the applicant has used the facility requested on numerous occasions in
14 the previous two months.

15 H. GOLDEN GATE PARK

16 1. The Polo Field (Golden Gate Park Stadium) shall be reserved for
17 athletic, equestrian and sports events on a priority basis. Four open
18 dates shall be designated for nonathletic/nonsports events drawing at
19 least 25,000 persons. These dates shall be available to the public on
20 the first working Monday of each year. It shall be the policy of this
21 Commission that these dates be designated one each in the months of May,
22 July, September and October to allow for turf recovery and that these
23 dates must be at least 6 weeks apart.

24 The first business day of March is the cutoff date for interested
25 applicants to submit completed applications for the May date at the Polo
26 Field for a nonathletic/nonsports event drawing at least 25,000 persons.

1 The first business day of May is the cutoff date for interested
2 applicants to submit completed applications for the July date at the Polo
3 Field for a nonathletic/nonsports event drawing at least 25,000 persons.
4 The first business day of July is the cutoff date for interested
5 applicants to submit completed applications for the September date at the
6 Polo Field for a nonathletic/nonsports event drawing at least 25,000
7 persons. The first business day of August is the cutoff date for
8 interested applicants to submit completed applications for the October
9 date at the Polo Field for a nonathletic/nonsports event drawing at least
10 25,000 persons. Once all of the completed applications are received for
11 a given date they will be evaluated by the staff. A lottery system will
12 be used only if there are two or more applications for a given date. In
13 considering applications for the use of the Polo Field for a
14 nonathletic/nonsports event which will draw 25,000 or more persons, staff
15 may limit sponsors to one date provided there is a heavy demand for such
16 permits.

17 2. Beach Chalet playing fields shall be reserved for athletic and
18 sports events only.

19 3. Speedway Meadow shall be reserved for use primarily as a group
20 picnic area. This area may also be used for large assemblies as set
21 forth in Section G 4.

22 4. Permits for events which require amplified sound permits issued
23 by the Police Department shall be allowed at the Music Concourse and
24 Kezar Stadium between the hours of 9:00 a.m. and 5:00 p.m. daily;
25 provided, however, that a maximum of 4 hours of amplified sound per day,
26 no more than 3 days per week shall be allowed at Kezar Stadium.

1 Permits for events which require amplified sound permits issued by
2 the Police Department shall also be allowed at the Polo Field and Marx
3 Meadow between the hours of 10:00 a.m. and 5:00 p.m. daily; provided,
4 however, that in no case shall amplified sound before, during and after a
5 nonathletic, equestrian or sports event exceed a total of 4 consecutive
6 hours of amplified sound per day and no more than 12 consecutive hours in
7 a week in the west end of Golden Gate Park.

8 Any permit which requires a sound permit issued by the Police
9 Department as part of an athletic, sports or equestrian event at the Polo
10 Field or Beach Chalet playing field shall in no case allow amplified
11 sound before, during, and after an event in excess of a total of 2
12 hours. Nothing herein shall be construed to restrict play by play
13 amplified announcements germane to broadcasting athletic, equestrian or
14 sports events at the Polo Field, Beach Chalet playing field, Bercut Field
15 or Kezar Stadium.

16 In all events involving amplified sound the sound level shall not
17 exceed the limit permitted pursuant to applicable provisions of the
18 Police Code. In addition, staff shall not allow more than one event for
19 which an amplified sound permit is required in the west end of Golden
20 Gate Park on a given day; provided further that in order to minimize the
21 impact of noise in the west end of Golden Gate Park on weekends and
22 holidays, staff shall not schedule events with amplified sound for which
23 a sound permit is required, for two consecutive days during a weekend or
24 a weekend holiday of any given week in the west end of Golden Gate Park.

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1 5. Except by special permission of the General Manager, there shall
2 be no sale of Street Artists' wares or arts and crafts handiwork in
3 outdoor areas of Golden Gate Park.

4 I. WEDDINGS

5 The following properties are authorized for weddings:
6 Chinese Pavilion, Rose Garden, Wilhemina Tulip Garden, Shakespeare
7 Garden, Rhododendron Dell, Metson Lake, Liberty Tree, Hoover Redwood
8 Grove, George Washington Bicentennial, Elk Glen, the Conservatory, Stern
9 Grove, Pioneer Log Cabin, Marx Meadow, the lawn area and courtyard of the
10 Legion of Honor, Chain of Lakes area. Weddings in other areas shall be
11 by special permission of the General Manager only.

12 J. MECHANICAL RIDES AND AMUSEMENT DEVICES

13 Permits shall not be granted for the installation and use of
14 portable mechanical rides and amusement devices on any Recreation and
15 Park facility.

16 K. APPEAL PROCEDURE

17 (a) An applicant for a permit to perform acts described in Park
18 Code Section 7.03 may appeal the denial of a permit application or
19 revocation of a permit by filing with the Secretary of the Recreation and
20 Park Commission a written request for a hearing. The request for a
21 hearing shall state succinctly the grounds upon which it is asserted that
22 the determination of the General Manager should be modified or reversed.

23 (b) Once an appeal has been filed, the Secretary shall place the
24 matter on the agenda of the appropriate committee of the Commission for
25 its next regularly scheduled meeting and on the agenda of the Commission
26 for its next regularly scheduled meeting. However, on matters involving

1 questions of significant public interest or policy the General Manager
2 may place the matter on the agenda of the Commission for its next
3 regularly scheduled meeting for decision without placing the matter on
4 the agenda of the appropriate committee of the Commission.

5 (c) The Commission shall afford the applicant an opportunity for
6 a hearing and may reverse, affirm or modify in any regard the
7 determination of the General Manager concerning the denial of a permit
8 application or revocation of a permit. When the Commission affirms the
9 denial of a permit application or revocation of a permit, such a decision
10 shall be based on one or more of the reasons listed in Section 7.07 of
11 the Park Code.

12 (d) The Commission shall give the applicant written notice of its
13 decision within 3 days after the hearing, Saturdays, Sundays, and legal
14 holidays excluded. Such notice shall be mailed to the applicant at the
15 address contained in the request for a hearing or, if none, in the permit
16 application. The Secretary of the Commission shall keep a copy of the
17 notice on file to be made available to the applicant upon request. When
18 the Commission affirms the denial of the permit application or revocation
19 of a permit or does not approve the permit application as originally
20 made, it shall include within the written notice to the applicant the
21 reasons for the decision and a specification of findings of fact on which
22 the decision is based.

23 (e) A person whose permit application has been denied or permit
24 revoked may file in a timely manner a request for an expedited appeal if
25 the regular appeal procedure, set forth above, would deprive the person
26 of a hearing before the Commission prior to the date of the proposed

1 activity for which a permit is sought and a postponement of the date of
2 the proposed activity would prejudice the applicant.

3 (f) The Commission shall afford an expedited appeal by providing
4 a hearing and a written notice of its decision within 72 hours of the
5 time that the written request for a hearing is filed with the Secretary
6 of the Commission. The written notice shall be filed with the Secretary
7 of the Commission who shall give it to the applicant upon request. If
8 the expiration of the 72-hour period does not fall during regular
9 business hours of the Recreation and Park Department, the Commission
10 shall, at the time of the hearing, arrange with the applicant a procedure
11 for making the decision available within 72 hours.

12 (g) If a quorum of the Commission cannot be convened within the
13 72-hour period in order to provide an expedited appeal, the hearing and
14 written notice of decision shall be provided by the General Manager.
15 This duty shall be performed by the General Manager or, in the absence of
16 the General Manager, by the Acting General Manager, and shall not be
17 delegated.

18 (h) The determinations as to whether the request for an expedited
19 appeal has been filed in a timely manner and whether postponement of the
20 date of the proposed activity would prejudice the applicant shall be made
21 by the General Manager and the decision of the General Manager on these
22 issues shall be final. The General Manager shall not deny an applicant
23 an expedited appeal without affording the applicant an opportunity to be
24 heard on the issues described. This duty shall be performed by the
25 General Manager or, in the absence of the General Manager, by the Acting
26 General Manager, and shall not be delegated.

1 (i) All the procedures established for a regular appeal, other
2 than those pertaining to time, are the same as to an expedited appeal,
3 unless otherwise noted.

4 II. MISCELLANEOUS PERMIT APPLICATION PROCEDURES

5 Launching Boats or Other Water Craft

6 The Business Division shall be responsible for concession
7 agreements whereby a person or entity provides water craft for use by the
8 public for a fee.

9 Application for a permit to launch water craft other than through
10 concession agreements shall be made to the Superintendent of Parks.

11 Sign Posting

12 Whenever approval is sought to post a sign in any park, such
13 approval shall be sought from the division noted below:

14 Signs posted giving directions to an event for which permit has
15 been issued, from the Division which issued the permit.

16 Signs posted by persons or organizations maintaining and operating
17 recreational facilities on park property on a daily basis, from the
18 Superintendent of Parks.

19 Athletic Instruction for Compensation

20 Application for permission to provide athletic instruction for
21 compensation shall be made to the Business Division.

22 Launching Airplanes, Helicopters, Hot Air Balloons or Other
23 Apparatus of Aviation

24 Application for such permits shall be made to the Permits and
25 Reservation Section.

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1 Peddling Goods, Wares or Merchandise

2 Application for such permits shall be made to the Permits and
3 Reservation Section if the sale is to take place only one day, and
4 otherwise to the Business Division.

5 Camping

6 Application for permits to construct or maintain camping or housing
7 accommodations shall be made to the Permits and Reservation Section.

8 Sleeping Overnight

9 Application for permits to sleep between 10:00 p.m. and 6:00 a.m.
10 in order to provide security services shall be made to the Permits and
11 Reservation Section.

12 Performance of Labor, Deposit of Building Material

13 Application for permission to remove any tree, wood, bush, turf,
14 shrub, flower, plant, grass, soil, rock or similar thing shall be made to
15 the Superintendent of Parks.

16 Alcoholic Beverages

17 Application for permission to consume alcoholic beverages shall be
18 made, as to playgrounds, to the Community Services Section, and, as to
19 all other locations, to the Permits and Reservation Section.

20 Soliciting Passengers for Vehicles for Hire

21 Application for permission to establish or maintain any stand or
22 other equipment for procuring customers for any vehicle let or used for
23 hire shall be made to the Business Division.

24 Commercial Photography, Filming, Recording

25 Application for permission to engage in commercial photography,
26 filming or recording shall be made to the Film Permit Coordinator.

1 III. GENERAL APPEAL PROCEDURES FOR DENIAL OF PERMIT APPLICATIONS

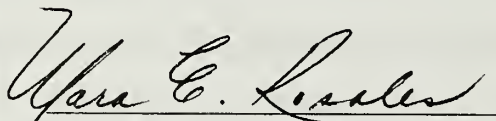
2 Denial by staff of an application for a permit to engage in an
3 activity described in this resolution, other than activities described in
4 Park Code Section 7.03, may be appealed to the Recreation and Park
5 Commission in the same manner as a regular or expedited appeal as set
6 forth in Section I. K. In addition, denial by staff of an application
7 for permission to use a building on park property may be appealed to the
8 Commission, in the same manner as a regular or expedited appeal as set
9 forth in Section I. K.

10 IV. STAFF REVIEW OF REGULATIONS

11 The Commission directs the General Manager and staff to continue to
12 evaluate the viability of these regulations and to ascertain whether this
13 scheme strikes the proper balance between the recreational, constitu-
14 tional and property interests of San Franciscans heretofore mentioned and
15 the Commission's substantial interest in preserving park property,
16 limiting excessive noise and congestion and other police problems that
17 may result from activities on park property. The General Manager shall
18 report to this Commission its findings as to this issue no later than the
19 first and seventh Commission meetings of each calendar year.

20 APPROVED AS TO FORM:

21 LOUISE H. RENNE, City Attorney

22 
23 MARA E. ROSALES
24 Deputy City Attorney

25 5085g (3782g)
26 07/20/89

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1/19/90

SF Rec + Park Comm.

Permits + Reservations

Policy 1/19/90

DOCUMENTS DEPT.

FEB 20 1990

SAN FRANCISCO
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RESOLUTION NO. 15585

SUPERSEDES RESOLUTION NO. 13094; RESOLUTION NO. 10575 - (DECEMBER 9, 1976), RESOLUTION NO. 11630 (APRIL 19, 1979), RESOLUTION NO. 12629 (OCTOBER 7, 1981), RESOLUTION NO. 12409 (MARCH 12, 1981), RESOLUTION NO. 14375 (MAY 15, 1986), RESOLUTION 14993 (MARCH 17, 1988), RESOLUTION NO. 15256 (JANUARY 19, 1989) AND RESOLUTION NO. 15431.

WHEREAS, Section 7.05 of the Park Code requires this Commission to adopt procedures for the filing and processing of applications for permits to engage in the activities set forth in Section 7.03; and

WHEREAS, Section 7.20 of the Park Code requires this Commission to adopt procedures for the appeal of the denial of an application for a permit to engage in the activities set forth in Section 7.03; and

WHEREAS, various provisions of the Park Code other than Section 7.03 require a permit to engage in certain activities without specifying the division responsible for issuing the permit or the appropriate appeal procedure; and

WHEREAS, the Commission recognizes that the right of citizens to hold assemblies is a treasured right in our society; and

WHEREAS, the Commission acknowledges that the use of park property for public assemblies is a privilege to be exercised by those who accept the attendant duty of protecting and preserving park property against damage and who agree to comply with all

1 relevant laws; and

2 WHEREAS, the Commission finds that events involving 10,000
3 or more persons that are anticipated to extend more than one day
4 pose police problems if such events are substantially likely to
5 attract persons who will refuse to leave the park during the
6 night, in violation of Park Code Section 3.13 (sleeping
7 prohibited in the park at night) or who may use campers and other
8 vehicles at night, in violation of Police Code Section 97 (use of
9 vehicles for habitation at night in parks and on streets and
10 public ways prohibited); and

11 WHEREAS, the Commission also finds that events held in
12 grass areas involving 10,000 or more persons that extend more
13 than one day are substantially likely to result in significant
14 damage to the turf; and

15 WHEREAS, the Commission finds that Golden Gate Park was
16 created to offer an alternative to the urban setting so that
17 citizens would have available to them a serene, natural
18 environment for their aesthetic, athletic and recreational
19 enjoyment; and

20 WHEREAS, Golden Gate Park lands were constructed on
21 shifting sand dunes and in most areas of Golden Gate Park there
22 is only a two inch layer of top soil and an unrestricted use of
23 Golden Gate Park meadows by large crowds is substantially likely
24 to cause damage to the fragile crust of soil and surrounding
25 vegetation; and

26 WHEREAS, the Commission remains concerned that allowing an

1 unrestricted number of events involving crowds of 25,000 or more
2 in the Polo Field will result in a cumulative, long-term adverse
3 impact upon the fragile soil and vegetation at the west end of
4 Golden Gate Park; and

5 WHEREAS, the Commission reaffirms its objectives and
6 policies for Golden Gate Park as set forth in its plan for Golden
7 Gate Park, adopted pursuant to Resolution No. 11678 and amended
8 pursuant to Resolution No. 14048, wherein, among other things the
9 Commission states its policy that large gatherings may well be
10 accommodated in San Francisco parks other than Golden Gate Park
11 so as to balance the city-wide recreational program and alleviate
12 wear and tear on Golden Gate Park; and

13 WHEREAS, the Commission finds that the unrestricted and
14 unregulated duration of amplified sound in Golden Gate Park has
15 an adverse impact upon the surrounding neighbors' quiet enjoyment
16 of their property and unreasonably interferes with their right of
17 privacy; now, therefore, be it

18 RESOLVED, that this Commission does hereby adopt the
19 policies and procedures stated herein for the issuance of permits
20 for the use of park property; and be it

21 FURTHER RESOLVED, that the staff shall decide which park
22 facility within the jurisdiction of this Commission is the most
23 suitable facility to accommodate the interests of the permittee;
24 provided however, that staff shall in all cases consider the
25 nature of the event, anticipated impact on the neighborhood,
26 anticipated attendance, the policies and guidelines set forth in

1 this resolution, the expertise and experience of the permittee in
2 organizing the type of event proposed, and any other facts and
3 circumstances that relate to any potential adverse impact on the
4 park property, the neighborhood or the public so long as such
5 impacts are unrelated to the content of the event.

6 I. PARK CODE SECTION 7.03 PERMIT APPLICATIONS

7 A. APPLICATION PROCEDURE

8 1. Except for permits for large events described below, and
9 permits for the sale of food or distribution of free food a
10 written application for a permit to perform an activity listed in
11 Section 7.03 shall be made to the Recreation and Park Department
12 at least 15 days in advance, excluding Saturdays, Sundays and
13 legal holidays, so that staff will have adequate time to process
14 requests properly, meet with parties of interest, and coordinate
15 with other affected public agencies as needed. A written
16 application for a permit to perform an activity listed in Section
17 7.03 which is a large event with an expected attendance of at
18 least 5,000 or for the sale or distribution of food shall be made
19 to the Recreation and Park Department at least 30 days in
20 advance, excluding Saturdays, Sundays and legal holidays, so that
21 staff will have adequate time to schedule meetings with the
22 permittee and other affected public agencies. The application
23 shall include the following information:

24 (a) The name, address and telephone number of the
25 applicant;

26 (b) The name(s) of all sponsoring, participating and/or

1 performing groups;

2 (c) A description of the activity for which a permit is
3 sought;

4 (d) The date, starting time, place and the estimated
5 length of time of the event;

6 (e) The number of persons that are expected to be
7 involved and the reasons for anticipating such a number;

8 (f) At least two preferred or desired locations;

9 (g) Plans or proposals, such as a transit and
10 transportation plan, detailing methodologies for minimizing
11 traffic, litter, congestion and noise at the preferred or desired
12 location and the surrounding areas that would be affected by the
13 proposed event;

14 (h) Where the applicant is an individual, the signature
15 of the applicant, and where the applicant is a person other than
16 an individual, the signature, name, address, and telephone number
17 of the individual executing the application on behalf of the
18 applicant.

19 2. The various time requirements for advance application
20 may be waived by the General Manager, upon request in writing by
21 the applicant, if the General Manager determines that the event
22 or events giving rise to the permit application do not reasonably
23 allow a person time to file a permit application within the
24 required time or if an unusual event or combination of events
25 renders such requirement an unreasonable restriction on the right
26 of free speech. No permit application submitted more than 365

1 days before the proposed activity may be approved.

2 B. PROCESSING PROCEDURE FOR PARK CODE
3 SECTION 7.03 ACTIVITIES

4 1. Except for applications for the use of the Polo Field
5 for one of the four nonathletic events, fully completed permit
6 applications for the same desired location shall be processed in
7 order of receipt. Revision of an application shall not cause an
8 application to lose priority as to the location desired, unless
9 the revision includes the request for a new location.

10 2. Fully completed permit applications for activities
11 listed in Park Code Section 7.03 received less than 30 days prior
12 to the date of the proposed event shall be processed within 10
13 days, excluding Saturdays, Sundays and legal holidays. An
14 application shall be deemed processed within 10 days if the
15 approval or denial is mailed to the address contained in the
16 permit application within 10 days after the day it is received or
17 is communicated orally within 10 days after the day it is
18 received, excluding Saturdays, Sundays, and legal holidays. A
19 copy of any written approval or denial of an application shall be
20 kept by the Recreation and Park Department and shall be made
21 available to the applicant upon request.

22 3. Fully completed permit applications for activities
23 listed in Section 7.03 received 30 days or more before the date
24 of the proposed activity shall be processed as time allows but in
25 no event shall notice of approval or denial be mailed or
26 communicated less than 24 calendar days prior to the date of the

1 proposed activity.

2 4. Permit applications received in less than the required
3 15 and 30 day time limits shall be processed within a reasonable
4 time, provided that the General Manager has waived the advance
5 application requirement as set forth in Section I A above. At
6 the time that the applicant is notified of such waiver, the
7 General Manager shall inform the applicant when his or her
8 application is expected to be acted upon.

9 5. An incomplete permit application shall be returned to
10 the applicant with an explanation as to why it is incomplete
11 whenever the Recreation and Park Department has sufficient
12 information to enable it to return the application.

13 6. Notice of the denial of a permit application shall be
14 accompanied by a statement of the grounds upon which the
15 application was denied.

16 7. If a permit application is revised, the time within
17 which the application must be processed shall be computed from
18 the date of the revision.

19 C. GENERAL

20 1. Permit applicants shall be advised by staff that any
21 publicity issued by the applicant before a permit has issued is
22 done at the applicant's own risk.

23 2. In order to insure that public enjoyment of park
24 properties and the public comfort, convenience, safety and
25 welfare are not disturbed and that public or private property is
26 not damaged, staff may impose reasonable conditions on approval

1 of permit applications, including but not limited to, the
2 conditions that the applicant provide debris boxes, chemical
3 toilet units, protective coverings, monitors, and security
4 personnel, (after staff consultation with the Police Department)
5 and that the applicant ensure that any stage, booth, platform,
6 tent or other erected structure complies with applicable local
7 laws.

8 3. Staff shall inform applicants of restrictions
9 contained in City ordinances regulating the use of amplified
10 sound, of the issuance of sound amplification permits by the
11 Police Department, and of the fact that sound amplification
12 ordinances are enforced by the Police Department.

13 4. Prior to issuing a permit, staff shall consult the
14 Police Department, Municipal Railway, Fire Department, Health
15 Department, Emergency Ambulance Service, Department of Public
16 Works or other relevant agency if any aspect of a permit request
17 requires action or permission from the agency. Staff may also
18 consult the advice of experts in the community in evaluating
19 which park facility is the most appropriate to accommodate the
20 proposed event. On any request for a permit for an event which
21 will draw over 5,000 persons, staff shall require the applicant
22 to recycle any newspaper, glass or aluminum items generated by
23 the event. The term "recycle" shall mean and include packaging
24 newspaper, glass and aluminum items separately and making
25 arrangements to have these items delivered to neighborhood
26 recycling centers in the City. In consultation with staff

1 permittees may make other arrangements for the disposal of
2 recyclable items.

3 5. Staff may issue one day permits for the sale of food
4 products with approval of the General Manager and the Health
5 Department. All food permits must be filed 30 days in advance of
6 the event. Staff shall have permission to authorize the serving
7 or selling of alcoholic beverages for one day permits with
8 approval of the General Manager so long as the applicant has
9 obtained the necessary approval from the Alcoholic Beverages
10 Commission (ABC).

11 6. Permittee must secure proper Health Department Notice
12 to Operate and if alcohol is involved a permit from ABC. The
13 Recreation and Park Department letter of permit and the Health
14 Department Notice to Operate must be visibly displayed on each
15 booth or location.

16 7. Prior to issuing a permit, staff shall arrange a
17 meeting of all public agencies involved in an event with the
18 sponsors of the event if staff concludes the the anticipated
19 attendance is in excess of 5,000, or if some aspect of the event
20 would require special services or permission from the affected
21 public agencies which could not be arranged through normal permit
22 procedures or by consultation with the agencies by telephone.

23 8. The sale and use of mylar balloons on all park
24 facilities is prohibited.

25 9. The release of helium balloons on all park facilities
26 is prohibited.

1 10. Staff shall advise applicants of the Board of
2 Supervisors' policy against the use of food packaging items which
3 contain chlorofluorocarbons, commonly referred to as styrofoam.
4 Staff shall advise applicants that the use of styrofoam products
5 (defined in San Francisco Health Code Sections 469.1 (a) (b) (d)
6 (e)) on all park facilities is prohibited.

7 11. The General Manager may enter into an agreement with
8 a nonprofit organization seeking to use park property to waive
9 the applicable use fees in exchange for receiving services that
10 may be provided to the City, provided that the value of the fees
11 waived does not exceed the value of the services rendered.

12 12. Staff shall process all permits without
13 discrimination with regard to race, color, religion, ancestry,
14 national origin, age, sex, political affiliation, sexual
15 orientation, disability or on any other grounds prohibited by
16 law, of those individuals or groups requesting such permits.

17 13. Material misrepresentations of fact in an
18 application, in circumstances where the applicant reasonably knew
19 or should have known the application did not contain the true
20 facts, may be considered by the General Manager in determining
21 whether the permit application should be denied or revoked
22 because of the applicant's inability to be responsible for the
23 use of park facilities in compliance with the Park Code and all
24 applicable laws, rules and regulations.

25 If staff has reason to believe that advertising or
26 publicity for an event for which an application is on file or

1 permit has been issued describes or refers to the event in a
2 manner which indicates that the event is different from that
3 described in the letter of intent or application, staff may
4 request the applicant or permittee to submit such advertising or
5 publicity material. Staff shall examine the same for the purpose
6 of determining whether there is reason to conclude that the
7 application inaccurately or incompletely describes the planned
8 event. If it so determines, in cases where the permit has not
9 been granted, staff shall immediately notify applicant of the
10 same and schedule a hearing before the General Manager to
11 determine whether the applicant must modify its application.

12 In cases where the application has been granted, staff
13 shall schedule a hearing before the General Manager for the
14 purpose of revoking the issuance of the permit in light of the
15 changed circumstances.

16 D. PERFORMANCE BONDS

17 1. Staff shall require performance bonds pursuant to the
18 following schedule in order to insure that property is restored
19 and cleaned at the conclusion of the permitted activity:

<u>ATTENDANCE</u>		<u>AMOUNT OF BOND</u>
100 -	1,000	\$ 500
1,000 -	3,000	1,000
3,000 -	6,000	1,500
6,001 -	9,000	2,000
9,001 -	15,000	3,000
15,001 -	25,000	3,500
25,001 -	45,000	4,000
45,001 -	75,000	6,000
75,001 -	Plus	\$ 10,000

1 2. Staff may require an applicant to pay a performance bond
2 for events which are expected to draw an attendance of under 100
3 persons, so long as the amount of the performance bond is
4 reasonably related to the anticipated costs of restoring or
5 cleaning the property used in connection with the event.

6 3. THE PERFORMANCE BOND SHALL BE IN THE FORM OF A CASHIERS
7 CHECK PAYABLE TO THE SAN FRANCISCO RECREATION AND PARK
8 DEPARTMENT. The performance bond shall be returned after the
9 event as soon as it is determined that every area of the park
10 used in connection with the event has been cleaned and restored
11 to the same or equivalent condition that existed immediately
12 prior to the time permission to use the facility was granted. In
13 no case shall the performance bond be returned unless the
14 property is returned to its original condition or the permittee
15 has paid the cost of cleaning and restoring the park property
16 used in connection with the event.

17 4. When an applicant for a permit to perform an activity
18 which is protected by the First Amendment to the U.S.
19 Constitution and for which a performance bond must be posted
20 produces evidence that providing a cash performance bond would be
21 impossible or so financially burdensome that it would preclude
22 the applicant from using park property for the proposed activity,
23 staff shall accept property in lieu of a cash performance bond so
24 long as the property offered is of a type which will reasonably
25 insure restoration and cleaning of the property to be used. If
26 the applicant is unable to provide any such property in lieu of a

1 bond or produces evidence that he or she is indigent, the General
2 Manager may accept in its place written assurances that all
3 necessary appropriate measures will be undertaken by applicant to
4 protect park property against damage if the General Manager
5 determines that the measures proposed by the applicant will be
6 performed and will adequately protect the property.

7 5. If an applicant has used park property in the past
8 pursuant to a permit and has caused damage or injury to property
9 or failed to restore or clean the property at the conclusion of
10 the permitted activity, staff may require the applicant to post a
11 performance bond in an amount greater than that normally
12 required, so long as the increased amount is reasonably related
13 to the anticipated costs of restoring or cleaning the property.
14 However, if an applicant who has damaged property or failed to
15 restore or clean the property in the past has, since that
16 occurrence, used park property pursuant to a permit and has left
17 the property in good condition, the amounts normally required of
18 applicants shall apply.

19 6. Staff may also require an applicant to post a
20 performance bond in an amount greater than that normally
21 required, so long as the increased amount is reasonably related
22 to the anticipated costs of restoring and cleaning the property
23 used in connection with the event.

24 7. General Manager may waive or decrease the performance
25 bond normally required if the applicant has a history of using
26 park property pursuant to a permit and has consistently left the

1 property used in good condition and no circumstances exist which
2 indicate that the applicant might fail to restore the property
3 after the proposed event.

4 E. INSURANCE REQUIREMENTS

5 Insurance coverage of the type and amount described below
6 shall be required for the following events where the sponsor is
7 other than a governmental entity:

- 8 1. Any event involving groups of 1,000 or more persons;
- 9 2. Any event scheduled at night which takes place in whole
10 or part outdoors unless (a) the number involved is so small given
11 the type of activity involved and the location of the event that
12 staff is able to determine that the risk of harm to persons or
13 property is minimal or (b) the applicant or sponsor agrees to
14 provide lighting of sufficient strength that staff is able to
15 determine that the risk of harm to persons or property is minimal.
- 16 3. Any event involving animals;
- 17 4. Any event which involves large displays, machinery, or
18 any large physical object which could come into physical contact
19 with persons or property and cause injury;
- 20 5. Any race or marathon for which a permit is required
21 pursuant to Article 7 of the Park Code;
- 22 6. Any festival except that festivals not providing food
23 for sale or not having games which involve an element of risk do
24 not require insurance.

25 The insurance requirements are as follows: Liability
26 insurance covering all operations, including but not limited to

1 the demised premises, personal injuries and injury to property
2 for single limits of not less than \$1,000,000 applying to bodily
3 injuries (including death at any time resulting therefrom), and
4 property damage or a combination of said injuries.

5 In addition, any event at which food is sold or given to
6 persons other than those in one's own organized group must be
7 covered by the following insurance: Food Products Liability of
8 \$1,000,000 when sale of food is contemplated as part of a
9 requested permit. Conditions of sale as negotiated by the
10 Business Office shall be subject to Commission approval.

11 The normal insurance coverage requirements shall not apply
12 to applicants who propose to engage in an activity protected by
13 the First Amendment of the U.S. Constitution when the applicant
14 produces evidence that complying with those provisions is
15 impossible or so financially burdensome that it would preclude
16 the applicant from using park property for the proposed
17 activity. However, in no event shall the requirement for food
18 products liability coverage be waived when food is involved.

19 F. HOLD HARMLESS AGREEMENT

20 An applicant for any permit to engage in an activity for
21 which a performance bond or insurance coverage is normally
22 required shall also be required to sign an agreement to reimburse
23 the Recreation and Park Department for any costs incurred by it
24 in restoring damage to property caused by the action of the
25 permittee, its officers, employees, or agents, or any person who
26 was, or reasonably should have been, under the permittee's

1 control, and to defend the City against, and indemnify and hold
2 the City harmless from any liability to any person resulting from
3 any damage or injury caused by the actions of the permittee, its
4 officers, employees or agents, or any person who was or
5 reasonably should have been, under the permittee's control
6 whenever the performance bond or insurance coverage is waived.

7 G. FACILITIES

8 1. Those Recreation and Park facilities serving a specific
9 function, such as baseball diamonds, tennis courts, swimming
10 pools and areas used primarily as children's play areas and
11 neighborhood playgrounds, will not be the site of any event that
12 would conflict with what is intended as the primary function of
13 that Recreation and Park facility.

14 2. Those facilities which primarily function as
15 recreational areas for the persons residing or working in the
16 areas adjacent to them shall be used primarily for events and
17 activities designed for recreation, enjoyment or use of such
18 persons. Events which will draw persons from throughout the City
19 or beyond may be permitted in these areas only if to deny such
20 use would unreasonably burden First Amendment expression or no
21 other suitable facility is available. Examples of areas to which
22 this policy refers are Huntington Park, Alta Plaza, Alamo Square,
23 Lafayette Square, Holly Park and the Panhandle of Golden Gate
24 Park.

25 3. In reviewing requests for the use of facilities for
26 demonstrations or musical events or any event requiring amplified

sound staff shall schedule these events at facilities recognized as serving a city-wide function. These facilities include, but are not limited to, Union Square, Candlestick Park, Civic Center Plaza, Justin Herman Plaza (Embarcadero Plaza), McLaren Amphitheater, Portsmouth Square, Music Concourse, Kezar Stadium and Marx Meadow in Golden Gate Park.

4. Staff shall not schedule an event at any facility if the staff has reason to conclude that the event will attract an audience which will exceed the maximum capacity of that facility. The facilities listed below have the capacity indicated:

10 Sq. Feet Per Person

Beach Chalet Playing Field		28,000
Candlestick Park Field		12,200
Candlestick Park Parking Lot		240,000
Kezar Field & Track		14,300
with seats		30,000
Lindley Meadow		23,120
Log Cabin Picnic Area	W	2,560
	E	4,480
Marina Green	W	9,216
	E	38,880
Marx Meadow		6,720
McLaren Amphitheater		4,320
Polo Field		59,360
Sharon Meadow		10,680
Speedway Meadow		28,920
Stern Grove Concert Area		7,460
with organized seating		20,000

5 Sq. Feet Per Person

Civic Center Plaza		
	North	20,726
	South	23,264
Embarcadero Plaza		13,068
Music Concourse		33,120

1	Portsmouth Square with	
	Brenham Place closed	11,508
2	Union Square	6,000
	United Nations Plaza	3,600
3	Washington Square	16,000

4 No more than two events which draw 10,000 or more people may be
5 held in the same grass area within one month. There must be at
6 least one full week between each event. Spacing of events is
7 required to allow recovery of the turf. In considering
8 applications for events in grass area which will draw 10,000 or
9 more people staff may limit sponsors to one event per month
10 provided there is a heavy demand for such permits. The foregoing
11 rule shall not be applied to Stern Grove Concert Meadow during
12 the concert season. The Polo Field and Beach Chalet playing
13 field are considered separately in section H.

14 5. Amplified sound may be permitted in Union Square,
15 Embarcadero Plaza, and Civic Center on weekdays, Monday through
16 Friday from 12 noon to 1:30 p.m. only. However, if the permittee
17 is unable to schedule the event in Union Square between 12 noon
18 and 1:30 p.m. on a weekday, amplified sound may be permitted in
19 that unit for a maximum of 2 hours in the evening hours between 5
20 p.m. and 9 p.m. Amplified sound may be permitted in Union Square
21 and Embarcadero Plaza on weekends (Saturday and Sunday) and
22 holidays from 12 noon to 2 p.m. only, except that if the
23 permittee is unable to schedule the event between 12 noon and 2
24 p.m., amplified sound may be permitted at other times, although
25 not earlier than 9 a.m. nor later than 9 p.m., provided that the
26

1 time for such amplified sound does not exceed 2 hours. Amplified
2 sound may be permitted in the Civic Center on weekends and
3 holidays from 9 a.m. to sunset only. If the permittee is unable
4 to schedule the event in Civic Center on weekends or holidays
5 from 9 a.m. to sunset, amplified sound may be permitted in the
6 Civic Center for a maximum of 2 hours in the evening between 5
7 p.m. and 10 p.m. Amplified sound may be permitted for a maximum
8 of 4 consecutive hours per day at Mission Dolores Park, Marina
9 Green and Washington Square on weekends and holidays from 1 p.m.
10 to sunset and on weekdays not to begin before 9 a.m. or go beyond
11 9 p.m.

12 6. Staff shall limit all permits to one day only. Special
13 permission for consecutive multiple day events may be granted by
14 the Commission who shall consider the nature of the event, the
15 proposed location, the anticipated attendance, and any other
16 facts and circumstances that relate to any potential adverse
17 impact on the park property, the neighborhood, or the public so
18 long as such impacts are unrelated to the content of the event.

19 7. The Commission finds that Union Square and the Civic
20 Center are in great demand for activities and events by many
21 different persons and organizations and that approval of
22 applications received from one person or organization for use of
23 these facilities for numerous multiple dates unfairly restricts
24 the number of persons who may use them. In considering
25 applications for permits to use these facilities, staff may
26 require the applicant to move the proposed event to another

1 location if the applicant has used the facility requested on
2 numerous occasions in the previous two months.

3 H. GOLDEN GATE PARK

4 1. The Polo Field (Golden Gate Park Stadium) shall be
5 reserved for athletic, equestrian and sports events on a priority
6 basis. Four open dates shall be designated for
7 nonathletic/nonsports events drawing at least 25,000 persons.
8 These dates shall be available to the public on the first working
9 Monday of each year. It shall be the policy of this Commission
10 that these dates be designated one each in the months of May,
11 July, September and October to allow for turf recovery and that
12 these dates must be at least 6 weeks apart.

13 The first business day of March is the cutoff date for
14 interested applicants to submit completed applications for the
15 May date at the Polo Field for a nonathletic/nonsports event
16 drawing at least 25,000 persons. The first business day of May
17 is the cutoff date for interested applicants to submit completed
18 applications for the July date at the Polo Field for a
19 nonathletic/nonsports event drawing at least 25,000 persons. The
20 first business day of July is the cutoff date for interested
21 applicants to submit completed applications for the September
22 date at the Polo Field for a nonathletic/nonsports event drawing
23 at least 25,000 persons. The first business day of August is the
24 cutoff date for interested applicants to submit completed
25 applications for the October date at the Polo Field for a
26 nonathletic/nonsports event drawing at least 25,000 persons.

1 Once all of the completed applications are received for a given
2 date they will be evaluated by the staff. A lottery system will
3 be used only if there are two or more applications for a given
4 date. In considering applications for the use of the Polo Field
5 for a nonathletic/nonsports event which will draw 25,000 or more
6 persons, staff may limit sponsors to one date provided there is a
7 heavy demand for such permits.

8 2. Beach Chalet playing fields shall be reserved for
9 athletic and sports events only.

10 3. Speedway Meadow shall be reserved for use primarily as a
11 group picnic area. This area may also be used for large
12 assemblies as set forth in Section G 4.

13 4. Permits for events which require amplified sound permits
14 issued by the Police Department shall be allowed at the Music
15 Concourse and Kezar Stadium between the hours of 9:00 a.m. and
16 5:00 p.m. daily; provided, however, that a maximum of 4 hours of
17 amplified sound per day, no more than 3 days per week shall be
18 allowed at Kezar Stadium.

19 Permits for events which require amplified sound permits
20 issued by the Police Department shall also be allowed at the Polo
21 Field and Marx Meadow between the hours of 10:00 a.m. and 5:00
22 p.m. daily; provided, however, that in no case shall amplified
23 sound before, during and after a nonathletic, equestrian or
24 sports event exceed a total of 4 consecutive hours of amplified
25 sound per day and no more than 12 consecutive hours in a week in
26 the west end of Golden Gate Park.

1 Any permit which requires a sound permit issued by the
2 Police Department as part of an athletic, sports or equestrian
3 event at the Polo Field or Beach Chalet playing field shall in no
4 case allow amplified sound before, during, and after an event in
5 excess of a total of 2 hours. Nothing herein shall be construed
6 to restrict play by play amplified announcements germane to
7 broadcasting athletic, equestrian or sports events at the Polo
8 Field, Beach Chalet playing field, Bercut Field or Kezar Stadium.

9 In all events involving amplified sound the sound level
10 shall not exceed the limit permitted pursuant to applicable
11 provisions of the Police Code. In addition, staff shall not
12 allow more than one event for which an amplified sound permit is
13 required in the west end of Golden Gate Park on a given day;
14 provided further that in order to minimize the impact of noise in
15 the west end of Golden Gate Park on weekends and holidays, staff
16 shall not schedule events with amplified sound for which a sound
17 permit is required, for two consecutive days during a weekend or
18 a weekend holiday of any given week in the west end of Golden
19 Gate Park.

20 5. Except by special permission of the General Manager,
21 there shall be no sale of Street Artists' wares or arts and
22 crafts handiwork in outdoor areas of Golden Gate Park.

23 I. WEDDINGS

24 The following properties are authorized for weddings:
25 Chinese Pavilion, Rose Garden, Wilhemina Tulip Garden,
26 Shakespeare Garden, Rhododendron Dell, Metson Lake, Liberty Tree,

1 Hoover Redwood Grove, George Washington Bicentennial, Elk Glen,
2 the Conservatory, Stern Grove, Pioneer Log Cabin, Marx Meadow,
3 the lawn area and courtyard of the Legion of Honor, Chain of
4 Lakes area. Weddings in other areas shall be by special
5 permission of the General Manager only.

6 J. MECHANICAL RIDES AND AMUSEMENT DEVICES

7 Permits shall not be granted for the installation and use
8 of portable mechanical rides and amusement devices on any
9 Recreation and Park facility.

10 K. APPEAL PROCEDURE

11 1. An applicant for a permit to perform acts described in
12 Park Code Section 7.03 may appeal the denial of a permit
13 application or revocation of a permit by filing with the
14 Secretary of the Recreation and Park Commission a written request
15 for a hearing. The request for a hearing shall state succinctly
16 the grounds upon which it is asserted that the determination of
17 the General Manager should be modified or reversed.

18 2. Once an appeal has been filed, the Secretary shall place
19 the matter on the agenda of the appropriate committee of the
20 Commission for its next regularly scheduled meeting and on the
21 agenda of the Commission for its next regularly scheduled
22 meeting. However, on matters involving questions of significant
23 public interest or policy the General Manager may place the
24 matter on the agenda of the Commission for its next regularly
25 scheduled meeting for decision without placing the matter on the
26 agenda of the appropriate committee of the Commission.

1 3. The Commission shall afford the applicant an opportunity
2 for a hearing and may reverse, affirm or modify in any regard the
3 determination of the General Manager concerning the denial of a
4 permit application or revocation of a permit. When the
5 Commission affirms the denial of a permit application or
6 revocation of a permit, such a decision shall be based on one or
7 more of the reasons listed in Section 7.07 of the Park Code.

8 4. The Commission shall give the applicant written notice
9 of its decision within 3 days after the hearing, Saturdays,
10 Sundays, and legal holidays excluded. Such notice shall be
11 mailed to the applicant at the address contained in the request
12 for a hearing or, if none, in the permit application. The
13 Secretary of the Commission shall keep a copy of the notice on
14 file to be made available to the applicant upon request. When
15 the Commission affirms the denial of the permit application or
16 revocation of a permit or does not approve the permit application
17 as originally made, it shall include within the written notice to
18 the applicant the reasons for the decision and a specification of
19 findings of fact on which the decision is based.

20 5. A person whose permit application has been denied or
21 permit revoked may file in a timely manner a request for an
22 expedited appeal if the regular appeal procedure, set forth
23 above, would deprive the person of a hearing before the
24 Commission prior to the date of the proposed activity for which a
25 permit is sought and a postponement of the date of the proposed
26 activity would prejudice the applicant.

1 6. The Commission shall afford an expedited appeal by
2 providing a hearing and a written notice of its decision within
3 72 hours of the time that the written request for a hearing is
4 filed with the Secretary of the Commission. The written notice
5 shall be filed with the Secretary of the Commission who shall
6 give it to the applicant upon request. If the expiration of the
7 72-hour period does not fall during regular business hours of the
8 Recreation and Park Department, the Commission shall, at the time
9 of the hearing, arrange with the applicant a procedure for making
10 the decision available within 72 hours.

11 7. If a quorum of the Commission cannot be convened within
12 the 72-hour period in order to provide an expedited appeal, the
13 hearing and written notice of decision shall be provided by the
14 General Manager. This duty shall be performed by the General
15 Manager or, in the absence of the General Manager, by the Acting
16 General Manager, and shall not be delegated.

17 8. The determinations as to whether the request for an
18 expedited appeal has been filed in a timely manner and whether
19 postponement of the date of the proposed activity would prejudice
20 the applicant shall be made by the General Manager and the
21 decision of the General Manager on these issues shall be final.
22 The General Manager shall not deny an applicant an expedited
23 appeal without affording the applicant an opportunity to be heard
24 on the issues described. This duty shall be performed by the
25 General Manager or, in the absence of the General Manager, by the
26 Acting General Manager, and shall not be delegated.

1 9. All the procedures established for a regular appeal,
2 other than those pertaining to time, are the same as to an
3 expedited appeal, unless otherwise noted.

4 II. MISCELLANEOUS PERMIT APPLICATION PROCEDURES

5 1. Launching Boats or Other Water Craft

6 The Business Division shall be responsible for concession
7 agreements whereby a person or entity provides water craft for
8 use by the public for a fee.

9 Application for a permit to launch water craft other than
10 through concession agreements shall be made to the Superintendent
11 of Parks.

12 2. Sign Posting

13 Whenever approval is sought to post a sign in any park,
14 such approval shall be sought from the division noted below:

15 Signs posted giving directions to an event for which
16 permit has been issued, from the Division which issued the permit.

17 Signs posted by persons or organizations maintaining and
18 operating recreational facilities on park property on a daily
19 basis, from the Superintendent of Parks.

20 3. Athletic Instruction for Compensation

21 Application for permission to provide athletic instruction
22 for compensation shall be made to the Business Division.

23 4. Launching Airplanes, Helicopters, Hot Air Balloons or
24 Other Apparatus of Aviation

25 Application for such permits shall be made to the Permits
26 and Reservation Section.

1 5. Peddling Goods, Wares or Merchandise

2 Application for such permits shall be made to the Permits
3 and Reservation Section if the sale is to take place only one
4 day, and otherwise to the Business Division.

5 6. Camping

6 Application for permits to construct or maintain camping or
7 housing accommodations shall be made to the Permits and
8 Reservation Section.

9 7. Sleeping Overnight

10 Application for permits to sleep between 10:00 p.m. and
11 6:00 a.m. in order to provide security services shall be made to
12 the Permits and Reservation Section.

13 8. Performance of Labor, Deposit of Building Material

14 Application for permission to remove any tree, wood, bush,
15 turf, shrub, flower, plant, grass, soil, rock or similar thing
16 shall be made to the Superintendent of Parks.

17 9. Alcoholic Beverages

18 Application for permission to consume alcoholic beverages
19 shall be made, as to playgrounds, to the Community Services
20 Section, and, as to all other locations, to the Permits and
21 Reservation Section.

22 10. Soliciting Passengers for Vehicles for Hire

23 Application for permission to establish or maintain any
24 stand or other equipment for procuring customers for any vehicle
25 let or used for hire shall be made to the Business Division.
26

1 11. Commercial Photography, Filming, Recording

2 Application for permission to engage in commercial
3 photography, filming or recording shall be made to the Film
4 Permit Coordinator.

5 III. GENERAL APPEAL PROCEDURES FOR DENIAL OF PERMIT APPLICATIONS

6 Denial by staff of an application for a permit to engage in
7 an activity described in this resolution, other than activities
8 described in Park Code Section 7.03, may be appealed to the
9 Recreation and Park Commission in the same manner as a regular or
10 expedited appeal as set forth in Section I. K. In addition,
11 denial by staff of an application for permission to use a
12 building on park property may be appealed to the Commission, in
13 the same manner as a regular or expedited appeal as set forth in
14 Section I. K.

15 IV. REGULATIONS GOVERNING DISTRIBUTION OF FREE FOOD TO THE
16 HOMELESS ON PARK PROPERTY

17 Park Code Section 7.03(k) requires a permit to provide food
18 to persons on park property. Permits to provide free food to the
19 homeless on park property shall be governed by the following
20 regulations.

21 1. The Commission has determined that a need exists to
22 provide free food to the homeless in the downtown and Golden Gate
23 Park areas. Civic Center Plaza and the Page/Stanyan location are
24 designated as the only park sites in these identified
25 neighborhoods where free food distribution to the homeless shall
26 be allowed.

1 2. Permits shall be granted for no more than one month at
2 a time. Permits may be renewed for a site for which a prior
3 permit has been granted as long as all conditions of the permit
4 are satisfied by the permittee.

5 3. Permits shall be granted by the Commission only for
6 large City-wide parks as defined in Section II G of these
7 regulations. However, the Commission staff shall grant
8 preference to permittees seeking to use a City-wide park for
9 recreational activities or activities protected by the First
10 Amendment. No permit for the free distribution of food to the
11 homeless shall be granted in a facility or park set aside for
12 recreational activities.

13 4. In deciding which park facility is the most suitable to
14 accommodate the interests of the permittee, the Commission shall
15 consider the availability of an indoor facility that accommodates
16 the needs of the permittee and the accessibility of functional
17 public restrooms.

18 5. All permits granted under this section shall provide
19 that the food service or distribution take place only on
20 non-grass surface or non-landscaped areas.

21 6. All permits for the distribution of free food to the
22 homeless shall contain the following conditions:

23 (a) All local Health Code requirements must be
24 satisfied. Once the staff determines it appropriate to issue a
25 permit for use of a site, the staff shall provide a letter to
26 that effect so that the applicant may undergo a Department of

1 Public Health inspection and obtain the required health permit.
2 Once the Department of Public Health permit is secured, assuming
3 all other requirements continue to be met, the staff shall issue
4 the park permit.

5 (b) Adequate insurance is secured.

6 (c) A performance bond is secured to protect park
7 property against damage and to ensure that the area is maintained
8 in a clean manner. When an applicant for a permit to provide
9 free food to the homeless produces evidence that providing a cash
10 performance bond would be so financially burdensome that it would
11 preclude the applicant from using park property for the proposed
12 activity, staff may accept written assurances that all necessary
13 appropriate measures will be undertaken by the applicant to
14 protect park property against damage or insure proper clean-up if
15 the staff determines that the measures proposed by the applicant
16 will be performed and will adequately protect the property.

17 7. Staff shall impose reasonable use fees of \$_____ for
18 permits to provide free food to the homeless. When an applicant
19 for a permit to provide free food to the homeless produces
20 evidence that paying the use fees would be so financially
21 burdensome that it would preclude the applicant from using park
22 property for the proposed activity, the staff shall waive the use
23 fees. Staff shall also waive the use fees if the permittee
24 agrees in writing to haul away from the food distribution site
25 and properly dispose of any garbage generated by the food
26 distribution service.

1 V. STAFF REVIEW OF REGULATIONS

2 The Commission directs the General Manager and staff to
3 continue to evaluate the viability of these regulations and to
4 ascertain whether this scheme strikes the proper balance between
5 the recreational, constitutional and property interests of San
6 Franciscans heretofore mentioned and the Commission's substantial
7 interest in preserving park property, limiting excessive noise
8 and congestion and other police problems that may result from
9 activities on park property. The General Manager shall report to
10 this Commission its findings as to this issue no later than the
11 first and seventh Commission meetings of each calendar year.

12 APPROVED AS TO FORM:

13 LOUISE H. RENNE, City Attorney

14 

15 MARA E. ROSALES
16 Deputy City Attorney

17 01/18/90

18 5350g

OCT 25 1991

SAN FRANCISCO
PUBLIC LIBRARY

Resolution No. 15840

SUPERSEDES RESOLUTION NO. 13094; RESOLUTION NO. 10575 - (DECEMBER 9, 1976), RESOLUTION NO. 11630 (APRIL 19, 1979), RESOLUTION NO. 12629 (OCTOBER 7, 1981), RESOLUTION NO. 12409 (MARCH 12, 1981), RESOLUTION NO. 14375 (MAY 15, 1986), RESOLUTION 14993 (MARCH 17, 1988), RESOLUTION NO. 15256 (JANUARY 19, 1989), RESOLUTION NO. 15431 (JULY 20, 1989) and RESOLUTION No. 15585 (JANUARY 18, 1990).

WHEREAS, Section 7.05 of the Park Code requires this Commission to adopt procedures for the filing and processing of applications for permits to engage in the activities set forth in Section 7.03; and

WHEREAS, Section 7.20 of the Park Code requires this Commission to adopt procedures for the appeal of the denial of an application for a permit to engage in the activities set forth in Section 7.03; and

WHEREAS, various provisions of the Park Code other than Section 7.03 require a permit to engage in certain activities without specifying the division responsible for issuing the permit or the appropriate appeal procedure; and

WHEREAS, the Commission recognizes that the right of citizens to hold assemblies is a treasured right in our society; and

WHEREAS, the Commission acknowledges that the use of park property for public assemblies is a privilege to be exercised by those who accept the attendant duty of protecting and preserving park property against damage and who agree to comply with all

1 relevant laws; and

2 WHEREAS, the Commission finds that events involving 10,000
3 or more persons that are anticipated to extend more than one day
4 pose police problems if such events are substantially likely to
5 attract persons who will refuse to leave the park during the
6 night, in violation of Park Code Section 3.13 (sleeping
7 prohibited in the park at night) or who may use campers and other
8 vehicles at night, in violation of Police Code Section 97 (use of
9 vehicles for habitation at night in parks and on streets and
10 public ways prohibited); and

11 WHEREAS, the Commission also finds that events held in
12 grass areas involving 10,000 or more persons that extend more
13 than one day are substantially likely to result in significant
14 damage to the turf; and

15 WHEREAS, the Commission finds that Golden Gate Park was
16 created to offer an alternative to the urban setting so that
17 citizens would have available to them a serene, natural
18 environment for their aesthetic, athletic and recreational
19 enjoyment; and

20 WHEREAS, Golden Gate Park lands were constructed on
21 shifting sand dunes and in most areas of Golden Gate Park there
22 is only a two inch layer of top soil and an unrestricted use of
23 Golden Gate Park meadows by large crowds is substantially likely
24 to cause damage to the fragile crust of soil and surrounding
25 vegetation; and

26 WHEREAS, the Commission remains concerned that allowing an

1 unrestricted number of events involving crowds of 25,000 or more
2 in the Polo Field will result in a cumulative, long-term adverse
3 impact upon the fragile soil and vegetation at the west end of
4 Golden Gate Park; and

5 WHEREAS, the Commission reaffirms its objectives and
6 policies for Golden Gate Park as set forth in its plan for Golden
7 Gate Park, adopted pursuant to Resolution No. 11678 and amended
8 pursuant to Resolution No. 14048, wherein, among other things the
9 Commission states its policy that large gatherings may well be
10 accommodated in San Francisco parks other than Golden Gate Park
11 so as to balance the city-wide recreational program and alleviate
12 wear and tear on Golden Gate Park; and

13 WHEREAS, the Commission also states in the Golden Gate Park
14 Plan that permittees proposing an event which will draw at least
15 5,000 persons within Golden Gate Park should be requested to
16 prepare a transportation analysis detailing possible
17 transportation impacts to Golden Gate Park. Where appropriate
18 permittees proposing large events should provide a transportation
19 management system that will prevent additional automobile
20 congestion, user conflicts and all-day parking by
21 non-recreational users within the park system; and

22 WHEREAS, the Commission finds that the unrestricted and
23 unregulated duration of amplified sound in Golden Gate Park has
24 an adverse impact upon the surrounding neighbors' quiet enjoyment
25 of their property and unreasonably interferes with their right of
26 privacy; now, therefore, be it

1 RESOLVED, that this Commission does hereby adopt the
2 policies and procedures stated herein for the issuance of permits
3 for the use of park property; and be it

4 FURTHER RESOLVED, that the staff shall decide which park
5 facility within the jurisdiction of this Commission is the most
6 suitable facility to accommodate the interests of the permittee;
7 provided however, that staff shall in all cases consider the
8 nature of the event, anticipated impact on the neighborhood,
9 anticipated attendance, the policies and guidelines set forth in
10 this resolution, the expertise and experience of the permittee in
11 organizing the type of event proposed, and any other facts and
12 circumstances that relate to any potential adverse impact on the
13 park property, the neighborhood or the public so long as such
14 impacts are unrelated to the content of the event.

15 I. PARK CODE SECTION 7.03 PERMIT APPLICATIONS

16 A. APPLICATION PROCEDURE

17 1. Except for permits for large events described below, and
18 permits for the sale of food or distribution of free food a
19 written application for a permit to perform an activity listed in
20 Section 7.03 shall be made to the Recreation and Park Department
21 at least 15 days in advance, excluding Saturdays, Sundays and
22 legal holidays, so that staff will have adequate time to process
23 requests properly, meet with parties of interest, and coordinate
24 with other affected public agencies as needed. A written
25 application for a permit to perform an activity listed in Section

26 / / /

1 7.03 which is a large event with an expected attendance of at
2 least 5,000 or for the sale or distribution of food shall be made
3 to the Recreation and Park Department at least 30 days in
4 advance, excluding Saturdays, Sundays and legal holidays, so that
5 staff will have adequate time to schedule meetings with the
6 permittee and other affected public agencies. Applications for
7 events with an expected attendance of at least 5,000 shall
8 include all of the following information:

9 (a) The name, address and telephone number of the
10 applicant;

11 (b) The name(s) of all sponsoring, participating and/or
12 performing groups;

13 (c) A description of the activity for which a permit is
14 sought;

15 (d) The date, starting time, place and the estimated
16 length of time of the event;

17 (e) The number of persons that are expected to be
18 involved and the reasons for anticipating such a number;

19 (f) At least two preferred or desired locations;

20 (g) A transportation management plan detailing
21 methodologies and measures for minimizing and promoting transit
22 use, as well as other plans or proposals, detailing methodologies
23 for minimizing litter, congestion and noise at the preferred or
24 desired location and the surrounding areas that would be affected
25 by the proposed event;

26 / / /

1 (h) Where the applicant is an individual, the signature
2 of the applicant, and where the applicant is a person other than
3 an individual, the signature, name, address, and telephone number
4 of the individual executing the application on behalf of the
5 applicant.

6 Applications for events with an expected attendance of less
7 than 5,000 persons or for the sale or distribution of food to
8 less than 5,000 persons shall include all of the following
9 information set forth in subsections 1 (a) through (f) and (h).

10 2. The various time requirements for advance application
11 may be waived by the General Manager, upon request in writing by
12 the applicant, if the General Manager determines that the event
13 or events giving rise to the permit application do not reasonably
14 allow a person time to file a permit application within the
15 required time or if an unusual event or combination of events
16 renders such requirement an unreasonable restriction on the right
17 of free speech. No permit application submitted more than 365
18 days before the proposed activity may be approved.

19 3. Spontaneous daily gatherings of individuals dedicated to
20 the practice of various forms of martial arts or Tai Chi exercise
21 may freely assemble without prior application for a permit on
22 certain park properties which shall be designated by the General
23 Manager. The General Manager shall maintain the list of the
24 designated park properties and shall make the list available to
25 the public and the Police Department. The General Manager shall
26 inform persons wishing to use designated park properties for the

1 practice of martial arts or Tai Chi exercise that the designated
2 properties are available only when they are not in use pursuant
3 to an approved permit. The General Manager may add or delete
4 designated park properties from the list as is deemed
5 appropriate. Any changes to the list shall be reported to the
6 Commission in the General Manager's report at the Commission
7 meeting immediately following the General Manager's decision to
8 add or delete a designated site. Nothing in this subsection
9 shall be construed to affect the requirements of Park Code
10 Section 7.03 subsections (e) (pre-event publicity) and (m)
11 amplified sound) or Section 3.08 (compensation for instruction).

12 B. PROCESSING PROCEDURE FOR PARK CODE
13 SECTION 7.03 ACTIVITIES

14 1. Except for applications for the use of the Polo Field
15 for one of the four nonathletic events, fully completed permit
16 applications for the same desired location shall be processed in
17 order of receipt. Revision of an application shall not cause an
18 application to lose priority as to the location desired, unless
19 the revision includes the request for a new location.

20 2. Fully completed permit applications for activities
21 listed in Park Code Section 7.03 received less than 30 days prior
22 to the date of the proposed event shall be processed within 10
23 days, excluding Saturdays, Sundays and legal holidays. An
24 application shall be deemed processed within 10 days if the
25 approval or denial is mailed to the address contained in the
26 permit application within 10 days after the day it is received or

1 is communicated orally within 10 days after the day it is
2 received, excluding Saturdays, Sundays, and legal holidays. A
3 copy of any written approval or denial of an application shall be
4 kept by the Recreation and Park Department and shall be made
5 available to the applicant upon request.

6 3. Fully completed permit applications for activities
7 listed in Section 7.03 received 30 days or more before the date
8 of the proposed activity shall be processed as time allows but in
9 no event shall notice of approval or denial be mailed or
10 communicated less than 24 calendar days prior to the date of the
11 proposed activity.

12 4. Permit applications received in less than the required
13 15 and 30 day time limits shall be processed within a reasonable
14 time, provided that the General Manager has waived the advance
15 application requirement as set forth in Section I A above. At
16 the time that the applicant is notified of such waiver, the
17 General Manager shall inform the applicant when his or her
18 application is expected to be acted upon.

19 5. An incomplete permit application shall be returned to
20 the applicant with an explanation as to why it is incomplete
21 whenever the Recreation and Park Department has sufficient
22 information to enable it to return the application.

23 6. Notice of the denial of a permit application shall be
24 accompanied by a statement of the grounds upon which the
25 application was denied.

26 7. If a permit application is revised, the time within

1 which the application must be processed shall be computed from
2 the date of the revision.

3 C. GENERAL

4 1. Permit applicants shall be advised by staff that any
5 publicity issued by the applicant before a permit has issued is
6 done at the applicant's own risk.

7 2. In order to insure that public enjoyment of park
8 properties and the public comfort, convenience, safety and
9 welfare are not disturbed and that public or private property is
10 not damaged, staff may impose reasonable conditions on approval
11 of permit applications, including but not limited to, the
12 conditions that the applicant provide debris boxes, chemical
13 toilet units, protective coverings, monitors, transportation
14 management measures, and security personnel, (after staff
15 consultation with the Police Department) and that the applicant
16 ensure that any stage, booth, platform, tent or other erected
17 structure complies with applicable local laws.

18 3. Staff shall inform applicants of restrictions
19 contained in City ordinances regulating the use of amplified
20 sound, of the issuance of sound amplification permits by the
21 Police Department, and of the fact that sound amplification
22 ordinances are enforced by the Police Department.

23 4. Prior to issuing a permit, staff shall consult the
24 Police Department, Municipal Railway, Fire Department, Health
25 Department, Emergency Ambulance Service, Department of Public
26 Works or other relevant agency if any aspect of a permit request

1 requires action or permission from the agency. Staff may also
2 consult the advice of experts in the community in evaluating
3 which park facility is the most appropriate to accommodate the
4 proposed event. On any request for a permit for an event which
5 will draw over 5,000 persons, staff shall require the applicant
6 to recycle any newspaper, glass or aluminum items generated by
7 the event. The term "recycle" shall mean and include packaging
8 newspaper, glass and aluminum items separately and making
9 arrangements to have these items delivered to neighborhood
10 recycling centers in the City. In consultation with staff
11 permittees may make other arrangements for the disposal of
12 recyclable items.

13 5. Staff may issue one day permits for the sale of food
14 products with approval of the General Manager and the Health
15 Department. All food permits must be filed 30 days in advance of
16 the event. Staff shall have permission to authorize the serving
17 or selling of alcoholic beverages for one day permits with
18 approval of the General Manager so long as the applicant has
19 obtained the necessary approval from the Alcoholic Beverages
20 Commission (ABC).

21 6. Permittee must secure proper Health Department Notice
22 to Operate and if alcohol is involved a permit from ABC. The
23 Recreation and Park Department letter of permit and the Health
24 Department Notice to Operate must be visibly displayed on each
25 booth or location.

26 7. Prior to issuing a permit, staff shall arrange a

1 meeting of all public agencies involved in an event with the
2 sponsors of the event if staff concludes the the anticipated
3 attendance is in excess of 5,000, or if some aspect of the event
4 would require special services or permission from the affected
5 public agencies which could not be arranged through normal permit
6 procedures or by consultation with the agencies by telephone.

7 8. The sale and use of mylar balloons on all park
8 facilities is prohibited.

9 9. The release of helium balloons on all park facilities
10 is prohibited.

11 10. Staff shall advise applicants of the Board of
12 Supervisors' policy against the use of food packaging items which
13 contain chlorofluorocarbons, commonly referred to as styrofoam.
14 Staff shall advise applicants that the use of styrofoam products
15 (defined in San Francisco Health Code Sections 469.1 (a) (b) (d)
16 (e)) on all park facilities is prohibited.

17 11. The General Manager may enter into an agreement with
18 a nonprofit organization seeking to use park property to waive
19 the applicable use fees in exchange for receiving services that
20 may be provided to the City, provided that the value of the fees
21 waived does not exceed the value of the services rendered.

22 12. Staff shall process all permits without
23 discrimination with regard to race, color, religion, ancestry,
24 national origin, age, sex, political affiliation, sexual
25 orientation, disability or on any other grounds prohibited by
26 law, of those individuals or groups requesting such permits.

1 13. Material misrepresentations of fact in an
2 application, in circumstances where the applicant reasonably knew
3 or should have known the application did not contain the true
4 facts, may be considered by the General Manager in determining
5 whether the permit application should be denied or revoked
6 because of the applicant's inability to be responsible for the
7 use of park facilities in compliance with the Park Code and all
8 applicable laws, rules and regulations.

9 If staff has reason to believe that advertising or
10 publicity for an event for which an application is on file or
11 permit has been issued describes or refers to the event in a
12 manner which indicates that the event is different from that
13 described in the letter of intent or application, staff may
14 request the applicant or permittee to submit such advertising or
15 publicity material. Staff shall examine the same for the purpose
16 of determining whether there is reason to conclude that the
17 application inaccurately or incompletely describes the planned
18 event. If it so determines, in cases where the permit has not
19 been granted, staff shall immediately notify applicant of the
20 same and schedule a hearing before the General Manager to
21 determine whether the applicant must modify its application.

22 In cases where the application has been granted, staff
23 shall schedule a hearing before the General Manager for the
24 purpose of revoking the issuance of the permit in light of the
25 changed circumstances.

26 / / /

D. PERFORMANCE BONDS

1. Staff shall require performance bonds pursuant to the following schedule in order to insure that property is restored and cleaned at the conclusion of the permitted activity:

<u>ATTENDANCE</u>	<u>AMOUNT OF BOND</u>
-------------------	-----------------------

100 - 150	\$ 150
151 - 299	200
300 - 450	250
451 - 700	350
701 - 1,000	450
1,001 - 1,500	750
1,501 - 3,000	1,000
3,001 - 6,000	1,500
6,001 - 9,000	2,000
9,001 - 15,000	3,000
15,001 - 25,000	3,500
25,001 - 45,000	4,000
45,001 - 75,000	6,000
75,001 - Plus	\$ 10,000

2. Staff may require an applicant to pay a performance bond for events which are expected to draw an attendance of under 100 persons, so long as the amount of the performance bond is reasonably related to the anticipated costs of restoring or

1 cleaning the property used in connection with the event.

2 3. THE PERFORMANCE BOND SHALL BE IN THE FORM OF A CASHIERS
3 CHECK PAYABLE TO THE SAN FRANCISCO RECREATION AND PARK
4 DEPARTMENT. The performance bond shall be returned after the
5 event as soon as it is determined that every area of the park
6 used in connection with the event has been cleaned and restored
7 to the same or equivalent condition that existed immediately
8 prior to the time permission to use the facility was granted. In
9 no case shall the performance bond be returned unless the
10 property is returned to its original condition or the permittee
11 has paid the cost of cleaning and restoring the park property
12 used in connection with the event.

13 4. When an applicant for a permit to perform an activity
14 which is protected by the First Amendment to the U.S.
15 Constitution and for which a performance bond must be posted
16 produces evidence that providing a cash performance bond would be
17 impossible or so financially burdensome that it would preclude
18 the applicant from using park property for the proposed activity,
19 staff shall accept property in lieu of a cash performance bond so
20 long as the property offered is of a type which will reasonably
21 insure restoration and cleaning of the property to be used. If
22 the applicant is unable to provide any such property in lieu of a
23 bond or produces evidence that he or she is indigent, the General
24 Manager may accept in its place written assurances that all
25 necessary appropriate measures will be undertaken by applicant to
26 protect park property against damage if the General Manager

1 determines that the measures proposed by the applicant will be
2 performed and will adequately protect the property.

3 5. If an applicant has used park property in the past
4 pursuant to a permit and has caused damage or injury to property
5 or failed to restore or clean the property at the conclusion of
6 the permitted activity, staff may require the applicant to post a
7 performance bond in an amount greater than that normally
8 required, so long as the increased amount is reasonably related
9 to the anticipated costs of restoring or cleaning the property.
10 However, if an applicant who has damaged property or failed to
11 restore or clean the property in the past has, since that
12 occurrence, used park property pursuant to a permit and has left
13 the property in good condition, the amounts normally required of
14 applicants shall apply.

15 6. Staff may also require an applicant to post a
16 performance bond in an amount greater than that normally
17 required, so long as the increased amount is reasonably related
18 to the anticipated costs of restoring and cleaning the property
19 used in connection with the event.

20 7. General Manager may waive or decrease the performance
21 bond normally required if the applicant has a history of using
22 park property pursuant to a permit and has consistently left the
23 property used in good condition and no circumstances exist which
24 indicate that the applicant might fail to restore the property
25 after the proposed event.

26 / / /

1 E. INSURANCE REQUIREMENTS

2 Insurance coverage of the type and amount described below
3 shall be required for the following events where the sponsor is
4 other than a governmental entity:

5 1. Any event involving groups of 1,000 or more persons;

6 2. Any event scheduled at night which takes place in whole
7 or part outdoors unless (a) the number involved is so small given
8 the type of activity involved and the location of the event that
9 staff is able to determine that the risk of harm to persons or
10 property is minimal or (b) the applicant or sponsor agrees to
11 provide lighting of sufficient strength that staff is able to
12 determine that the risk of harm to persons or property is minimal

13 3. Any event involving animals;

14 4. Any event which involves large displays, machinery, or
15 any large physical object which could come into physical contact
16 with persons or property and cause injury;

17 5. Any race or marathon for which a permit is required
18 pursuant to Article 7 of the Park Code;

19 6. Any festival except that festivals not providing food
20 for sale or not having games which involve an element of risk do
21 not require insurance.

22 The insurance requirements are as follows: Liability
23 insurance covering all operations, including but not limited to
24 the demised premises, personal injuries and injury to property
25 for single limits of not less than \$1,000,000 applying to bodily
26 injuries (including death at any time resulting therefrom), and

1 property damage or a combination of said injuries.

2 In addition, any event at which food is sold or given to
3 persons other than those in one's own organized group must be
4 covered by the following insurance: Food Products Liability of
5 \$1,000,000 when sale of food is contemplated as part of a
6 requested permit. Conditions of sale as negotiated by the
7 Business Office shall be subject to Commission approval.

8 The normal insurance coverage requirements shall not apply
9 to applicants who propose to engage in an activity protected by
10 the First Amendment of the U.S. Constitution when the applicant
11 produces evidence that complying with those provisions is
12 impossible or so financially burdensome that it would preclude
13 the applicant from using park property for the proposed
14 activity. However, in no event shall the requirement for food
15 products liability coverage be waived when food is involved.

16 F. HOLD HARMLESS AGREEMENT

17 An applicant for any permit to engage in an activity for
18 which a performance bond or insurance coverage is normally
19 required shall also be required to sign an agreement to reimburse
20 the Recreation and Park Department for any costs incurred by it
21 in restoring damage to property caused by the action of the
22 permittee, its officers, employees, or agents, or any person who
23 was, or reasonably should have been, under the permittee's
24 control, and to defend the City against, and indemnify and hold
25 the City harmless from any liability to any person resulting from
26 any damage or injury caused by the actions of the permittee, its

1 officers, employees or agents, or any person who was or
2 reasonably should have been, under the permittee's control
3 whenever the performance bond or insurance coverage is waived.

4 G. FACILITIES

5 1. Those Recreation and Park facilities serving a specific
6 function, such as baseball diamonds, tennis courts, swimming
7 pools and areas used primarily as children's play areas and
8 neighborhood playgrounds, will not be the site of any event that
9 would conflict with what is intended as the primary function of
10 that Recreation and Park facility.

11 2. Those facilities which primarily function as
12 recreational areas for the persons residing or working in the
13 areas adjacent to them shall be used primarily for events and
14 activities designed for recreation, enjoyment or use of such
15 persons. Events which will draw persons from throughout the City
16 or beyond may be permitted in these areas only if to deny such
17 use would unreasonably burden First Amendment expression or no
18 other suitable facility is available. Examples of areas to which
19 this policy refers are Huntington Park, Alta Plaza, Alamo Square,
20 Lafayette Square, Holly Park and the Panhandle of Golden Gate
21 Park.

22 3. In reviewing requests for the use of facilities for
23 demonstrations or musical events or any event requiring amplified
24 sound staff shall schedule these events at facilities recognized
25 as serving a city-wide function. These facilities include, but
26 are not limited to, Union Square, Candlestick Park, Civic Center

Plaza, Justin Herman Plaza (Embarcadero Plaza), McLaren Amphitheater, Portsmouth Square, Music Concourse, Kezar Stadium and Marx Meadow in Golden Gate Park.

4. Staff shall not schedule an event at any facility if the staff has reason to conclude that the event will attract an audience which will exceed the maximum capacity of that facility. The facilities listed below have the capacity indicated:

10 Sq. Feet Per Person

Beach Chalet Playing Field		28,000
Candlestick Park Field (5 sq. ft. per person)		
24,800		
Candlestick Park Parking Lot		240,000
Kezar Field & Track		14,300
with seats		30,000
Lindley Meadow		23,120
Log Cabin Picnic Area	W	2,560
	E	4,480
Marina Green	W	2,216
	E	3,880
Marx Meadow		6,720
McLaren Amphitheater		4,320
Polo Field		9,360
Sharon Meadow		10,680
Speedway Meadow		28,920

1	Stern Grove Concert Area	7,460
2	with organized seating	20,000
3		
4	<u>5 Sq. Feet Per Person</u>	
5		
6	Civic Center Plaza	
7	North	20,726
8	South	23,264
9	Embarcadero Plaza	13,068
10	Music Concourse (earthquake damaged)	3,000
11	Portsmouth Square with	
12	Brenham Place closed	11,508
13	Union Square	6,000
14	United Nations Plaza	3,600
15	Washington Square (10 sq.ft per person)	8,000

16

17

18 No more than two events which draw 10,000 or more people may be

19 held in the same grass area within one month. There must be at

20 least one full week between each event. Spacing of events is

21 required to allow recovery of the turf. In considering

22 applications for events in grass area which will draw 10,000 or

23 more people staff may limit sponsors to one event per month

24 provided there is a heavy demand for such permits. The foregoing

25 rule shall not be applied to Stern Grove Concert Meadow during

26 / / /

1 the concert season. The Polo Field and Beach Chalet playing
2 field are considered separately in section H.

3 5. Amplified sound may be permitted in Union Square,
4 Embarcadero Plaza, and Civic Center on weekdays, Monday through
5 Friday from 12 noon to 1:30 p.m. only. However, if the permittee
6 is unable to schedule the event in Union Square between 12 noon
7 and 1:30 p.m. on a weekday, amplified sound may be permitted in
8 that unit for a maximum of 2 hours in the evening hours between 5
9 p.m. and 9 p.m. Amplified sound may be permitted in Union Square
10 and Embarcadero Plaza on weekends (Saturday and Sunday) and
11 holidays from 12 noon to 2 p.m. only, except that if the
12 permittee is unable to schedule the event between 12 noon and 2
13 p.m., amplified sound may be permitted at other times, although
14 not earlier than 9 a.m. nor later than 9 p.m., provided that the
15 time for such amplified sound does not exceed 2 hours. Amplified
16 sound may be permitted in the Civic Center on weekends and
17 holidays from 9 a.m. to sunset only. If the permittee is unable
18 to schedule the event in Civic Center on weekends or holidays
19 from 9 a.m. to sunset, amplified sound may be permitted in the
20 Civic Center for a maximum of 2 hours in the evening between 7
21 p.m. and 10 p.m. Amplified sound may be permitted for a maximum
22 of 4 consecutive hours per day at Mission Dolores Park, Marina
23 Green and Washington Square on weekends and holidays from 1 p.m.
24 to sunset and on weekdays not to begin before 9 a.m. or go beyond
25 9 p.m.

26 / / /

6. Staff shall limit all permits to one day only. Special permission for consecutive multiple day events may be granted by the Commission who shall consider the nature of the event, the proposed location, the anticipated attendance, and any other facts and circumstances that relate to any potential adverse impact on the park property, the neighborhood, or the public so long as such impacts are unrelated to the content of the event.

7. The Commission finds that Union Square and the Civic Center are in great demand for activities and events by many different persons and organizations and that approval of applications received from one person or organization for use of these facilities for numerous multiple dates unfairly restricts the number of persons who may use them. In considering applications for permits to use these facilities, staff may require the applicant to move the proposed event to another location if the applicant has used the facility requested on numerous occasions in the previous two months.

H. GOLDEN GATE PARK

1. The Polo Field (Golden Gate Park Stadium) shall be reserved for athletic, equestrian and sports events on a priority basis. Four open dates shall be designated for nonathletic/nonsports events drawing at least 25,000 persons. These dates shall be available to the public on the first working Monday each year. It shall be the policy of this Commission that these dates be designated one each in the months of May,
/ / /

1 July, September and October to allow for turf recovery and that
2 these dates must be at least 6 weeks apart.

3 The first business day of March is the cutoff date for
4 interested applicants to submit completed applications for the
5 May date at the Polo Field for a nonathletic/nonsports event
6 drawing at least 25,000 persons. The first business day of May
7 is the cutoff date for interested applicants to submit completed
8 applications for the July date at the Polo Field for a
9 nonathletic/nonsports event drawing at least 25,000 persons. The
10 first business day of July is the cutoff date for interested
11 applicants to submit completed applications for the September
12 date at the Polo Field for a nonathletic/nonsports event drawing
13 at least 25,000 persons. The first business day of August is the
14 cutoff date for interested applicants to submit completed
15 applications for the October date at the Polo Field for a
16 nonathletic/nonsports event drawing at least 25,000 persons.
17 Once all of the completed applications are received for a given
18 date they will be evaluated by the staff. A lottery system will
19 be used only if there are two or more applications for a given
20 date. In considering applications for the use of the Polo Field
21 for a nonathletic/nonsports event which will draw 25,000 or more
22 persons, staff may limit sponsors to one date provided there is a
23 heavy demand for such permits.

24 2. Beach Chalet playing fields shall be reserved for
25 athletic and sports events only.

26 / / /

1 3. Speedway Meadow shall be reserved for use primarily as a
2 group picnic area. This area may also be used for large
3 assemblies as set forth in Section G 4.

4 4. Permits for events which require amplified sound permits
5 issued by the Police Department shall be allowed at the Music
6 Concourse and Kezar Stadium between the hours of 9:00 a.m. and
7 5:00 p.m. daily; provided, however, that a maximum of 4 hours of
8 amplified sound per day, no more than 3 days per week shall be
9 allowed at Kezar Stadium.

10 Permits for events which require amplified sound permits
11 issued by the Police Department shall also be allowed at the Polo
12 Field and Marx Meadow between the hours of 10:00 a.m. and 5:00
13 p.m. daily; provided, however, that in no case shall amplified
14 sound before, during and after a nonathletic, equestrian or
15 sports event exceed a total of 4 consecutive hours of amplified
16 sound per day and no more than 12 consecutive hours in a week in
17 the west end of Golden Gate Park.

18 Any permit which requires a sound permit issued by the
19 Police Department as part of an athletic, sports or equestrian
20 event at the Polo Field or Beach Chalet playing field shall in no
21 case allow amplified sound before, during, and after an event in
22 excess of a total of 2 hours. Nothing herein shall be construed
23 to restrict play by play amplified announcements germane to
24 broadcasting athletic, equestrian or sports events at the Polo
25 Field, Beach Chalet playing field, Bercut Field or Kezar Stadium.
26 / / /

1 In all events involving amplified sound the sound level
2 shall not exceed the limit permitted pursuant to applicable
3 provisions of the Police Code. In addition, staff shall not
4 allow more than one event for which an amplified sound permit is
5 required in the west end of Golden Gate Park on a given day;
6 provided further that in order to minimize the impact of noise in
7 the west end of Golden Gate Park on weekends and holidays, staff
8 shall not schedule events with amplified sound for which a sound
9 permit is required, for two consecutive days during a weekend or
10 a weekend holiday of any given week in the west end of Golden
11 Gate Park.

12 5. Except by special permission of the General Manager,
13 there shall be no sale of Street Artists' wares or arts and
14 crafts handiwork in outdoor areas of Golden Gate Park.

15 I. WEDDINGS

16 The following properties are authorized for weddings:
17 Chinese Pavilion, Rose Garden, Wilhemina Tulip Garden,
18 Shakespeare Garden, Rhododendron Dell, Metson Lake, Liberty Tree,
19 Hoover Redwood Grove, George Washington Bicentennial, Elk Glen,
20 the Conservatory, Stern Grove, Pioneer Log Cabin, Mark Meadow,
21 the lawn area and courtyard of the Legion of Honor, Chain of
22 Lakes area. Weddings in other areas shall be by special
23 permission of the General Manager only.

24 J. MECHANICAL RIDES AND AMUSEMENT DEVICES

25 Permits shall not be granted for the installation and use
26 of portable mechanical rides and amusement devices on any

1 Recreation and Park facility.

2 K. APPEAL PROCEDURE

3 1. An applicant for a permit to perform acts described in
4 Park Code Section 7.03 may appeal the denial of a permit
5 application or revocation of a permit by filing with the
6 Secretary of the Recreation and Park Commission a written request
7 for a hearing. The request for a hearing shall state succinctly
8 the grounds upon which it is asserted that the determination of
9 the General Manager should be modified or reversed.

10 2. Once an appeal has been filed, the Secretary shall place
11 the matter on the agenda of the appropriate committee of the
12 Commission for its next regularly scheduled meeting and on the
13 agenda of the Commission for its next regularly scheduled
14 meeting. However, on matters involving questions of significant
15 public interest or policy the General Manager may place the
16 matter on the agenda of the Commission for its next regularly
17 scheduled meeting for decision without placing the matter on the
18 agenda of the appropriate committee of the Commission.

19 3. The Commission shall afford the applicant an opportunity
20 for a hearing and may reverse, affirm or modify in any regard the
21 determination of the General Manager concerning the denial of a
22 permit application or revocation of a permit. When the
23 Commission affirms the denial of a permit application or
24 revocation of a permit, such a decision shall be based on one or
25 more of the reasons listed in Section 7.07 of the Park Code.

26 4. The Commission shall give the applicant written notice

1 of its decision within 3 days after the hearing, Saturdays,
2 Sundays, and legal holidays excluded. Such notice shall be
3 mailed to the applicant at the address contained in the request
4 for a hearing or, if none, in the permit application. The
5 Secretary of the Commission shall keep a copy of the notice on
6 file to be made available to the applicant upon request. When
7 the Commission affirms the denial of the permit application or
8 revocation of a permit or does not approve the permit application
9 as originally made, it shall include within the written notice to
10 the applicant the reasons for the decision and a specification of
11 findings of fact on which the decision is based.

12 5. A person whose permit application has been denied or
13 permit revoked may file in a timely manner a request for an
14 expedited appeal if the regular appeal procedure, set forth
15 above, would deprive the person of a hearing before the
16 Commission prior to the date of the proposed activity for which a
17 permit is sought and a postponement of the date of the proposed
18 activity would prejudice the applicant.

19 6. The Commission shall afford an expedited appeal by
20 providing a hearing and a written notice of its decision within
21 72 hours of the time that the written request for a hearing is
22 filed with the Secretary of the Commission. The written notice
23 shall be filed with the Secretary of the Commission who shall
24 give it to the applicant upon request. If the expiration of the
25 72-hour period does not fall during regular business hours of the
26 Recreation and Park Department, the Commission shall, at the time

1 of the hearing, arrange with the applicant a procedure for making
2 the decision available within 72 hours.

3 7. If a quorum of the Commission cannot be convened within
4 the 72-hour period in order to provide an expedited appeal, the
5 hearing and written notice of decision shall be provided by the
6 General Manager. This duty shall be performed by the General
7 Manager or, in the absence of the General Manager, by the Acting
8 General Manager, and shall not be delegated.

9 8. The determinations as to whether the request for an
10 expedited appeal has been filed in a timely manner and whether
11 postponement of the date of the proposed activity would prejudice
12 the applicant shall be made by the General Manager and the
13 decision of the General Manager on these issues shall be final.
14 The General Manager shall not deny an applicant an expedited
15 appeal without affording the applicant an opportunity to be heard
16 on the issues described. This duty shall be performed by the
17 General Manager or, in the absence of the General Manager, by the
18 Acting General Manager, and shall not be delegated.

19 9. All the procedures established for a regular appeal,
20 other than those pertaining to time, are the same as to an
21 expedited appeal, unless otherwise noted.

22 II. MISCELLANEOUS PERMIT APPLICATION PROCEDURES

23 1. Launching Boats or Other Water Craft

24 The Business Division shall be responsible for concession
25 agreements whereby a person or entity provides water craft for
26 use by the public for a fee.

1 Application for a permit to launch water craft other than
2 through concession agreements shall be made to the Superintendent
3 of Parks.

4 2. Sign Posting

5 Whenever approval is sought to post a sign in any park,
6 such approval shall be sought from the division noted below:

7 Signs posted giving directions to an event for which
8 permit has been issued, from the Division which issued the permit.

9 Signs posted by persons or organizations maintaining and
10 operating recreational facilities on park property on a daily
11 basis, from the Superintendent of Parks.

12 3. Athletic Instruction for Compensation

13 Application for permission to provide athletic instruction
14 for compensation shall be made to the Business Division.

15 4. Launching Airplanes, Helicopters, Hot Air Balloons or
16 Other Apparatus of Aviation

17 Application for such permits shall be made to the Permits
18 and Reservation Section.

19 5. Peddling Goods, Wares or Merchandise

20 Application for such permits shall be made to the Permits
21 and Reservation Section if the sale is to take place only one
22 day, and otherwise to the Business Division.

23 6. Camping

24 Application for permits to construct or maintain camping or
25 housing accommodations shall be made to the Permits and
26 Reservation Section.

1 7. Sleeping Overnight

2 Application for permits to sleep between 10:00 p.m. and
3 6:00 a.m. in order to provide security services shall be made to
4 the Permits and Reservation Section.

5 8. Performance of Labor, Deposit of Building Material

6 Application for permission to remove any tree, wood, bush,
7 turf, shrub, flower, plant, grass, soil, rock or similar thing
8 shall be made to the Superintendent of Parks.

9 9. Alcoholic Beverages

10 Application for permission to consume alcoholic beverages
11 shall be made, as to playgrounds, to the Community Services
12 Section, and, as to all other locations, to the Permits and
13 Reservation Section.

14 10. Soliciting Passengers for Vehicles for Hire

15 Application for permission to establish or maintain any
16 stand or other equipment for procuring customers for any vehicle
17 let or used for hire shall be made to the Business Division.

18 11. Commercial Photography, Filming, Recording

19 Application for permission to engage in commercial
20 photography, filming or recording shall be made to the Film
21 Permit Coordinator.

22 III. GENERAL APPEAL PROCEDURES FOR DENIAL OF PERMIT APPLICATIONS

23 Denial by staff of an application for a permit to engage in
24 an activity described in this resolution, other than activities
25 described in Park Code Section 7.03, may be appealed to the
26 Recreation and Park Commission in the same manner as a regular or

1 expedited appeal as set forth in Section I. K. In addition,
2 denial by staff of an application for permission to use a
3 building on park property may be appealed to the Commission, in
4 the same manner as a regular or expedited appeal as set forth in
5 Section I. K.

6 IV. REGULATIONS GOVERNING DISTRIBUTION OR SALE OF FOOD TO
7 THE GENERAL PUBLIC ON PARK PROPERTY

8 Park Code Section 7.03(k) requires a permit to provide food
9 to persons on park property. Pursuant to Charter Section 3.552
10 and Park Code Sections 3.01 and 7.706, the Commission hereby
11 establishes the following regulations for the use of park
12 property for the distribution or sale of food.

13 1. Except as provided in Section IV 2., no person shall,
14 without a permit from the General Manager or the Commission as
15 set forth below, distribute, provide or sell food to the general
16 public, including but not limited to the homeless, on park
17 property.

18 (a) The General Manager may approve a permit
19 application for the distribution, provision or sale of food to
20 the general public when the proposed activity takes place in an
21 indoor facility appropriate for such use or is in connection with
22 a recreational activity on park property.

23 (b) Applications for the distribution, provision or
24 sale of food not subject to subsection (a) above shall be
25 referred to the Commission for action.

26 / / /

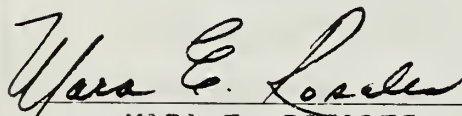
1 2. Exceptions. A permit to sell or provide food to
2 persons on park property is not required when a person
3 participating in a picnic or social gathering of 25 or fewer
4 persons provides food to others who are also participating in
5 that picnic or social gathering. This exception shall not be
6 construed to allow any person to use park property, without a
7 permit, as a mobile or stationary kitchen, eating establishment,
8 restaurant or similar purpose to provide or sell food to the
9 general public, including but not limited to the homeless.

10 V. STAFF REVIEW OF REGULATIONS

11 The Commission directs the General Manager and staff to
12 continue to evaluate the viability of these regulations and to
13 ascertain whether this scheme strikes the proper balance between
14 the recreational, constitutional and property interests of San
15 Franciscans heretofore mentioned and the Commission's substantial
16 interest in preserving park property, limiting excessive noise
17 and congestion and other police problems that may result from
18 activities on park property. The General Manager shall report to
19 this Commission its findings as to this issue no later than the
20 first and seventh Commission meetings of each calendar year.

21 APPROVED AS TO FORM:

22 LOUISE H. RENNE, City Attorney

23 
24 _____
25 MARA E. ROSALES
26 Deputy City Attorney

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10/18/90

APR 8 - 1991

SAN FRANCISCO
PUBLIC LIBRARY

Resolution No. 15902

SUPERSEDES RESOLUTION NO. 13094; RESOLUTION NO. 10575 - (DECEMBER 9, 1976), RESOLUTION NO. 11630 (APRIL 19, 1979), RESOLUTION NO. 12629 (OCTOBER 7, 1981), RESOLUTION NO. 12409 (MARCH 12, 1981), RESOLUTION NO. 14375 (MAY 15, 1986), RESOLUTION 14993 (MARCH 17, 1988), RESOLUTION NO. 15256 (JANUARY 19, 1989), RESOLUTION NO. 15431 (JULY 20, 1989); RESOLUTION No. 15585 (JANUARY 18, 1990) and RESOLUTION NO. 15840 (OCTOBER 18, 1990).

WHEREAS, Section 7.05 of the Park Code requires this Commission to adopt procedures for the filing and processing of applications for permits to engage in the activities set forth in Section 7.03; and

WHEREAS, Section 7.20 of the Park Code requires this Commission to adopt procedures for the appeal of the denial of an application for a permit to engage in the activities set forth in Section 7.03; and

WHEREAS, various provisions of the Park Code other than Section 7.03 require a permit to engage in certain activities without specifying the division responsible for issuing the permit or the appropriate appeal procedure; and

WHEREAS, the Commission recognizes that the right of citizens to hold assemblies is a treasured right in our society; and

WHEREAS, the Commission acknowledges that the use of park property for public assemblies is a privilege to be exercised by those who accept the attendant duty of protecting and preserving

1 park property against damage and who agree to comply with all
2 relevant laws; and

3 WHEREAS, the Commission finds that events involving 10,000
4 or more persons that are anticipated to extend more than one day
5 pose police problems if such events are substantially likely to
6 attract persons who will refuse to leave the park during the
7 night, in violation of Park Code Section 3.13 (sleeping
8 prohibited in the park at night) or who may use campers and other
9 vehicles at night, in violation of Police Code Section 97 (use of
10 vehicles for habitation at night in parks and on streets and
11 public ways prohibited); and

12 WHEREAS, the Commission also finds that events held in
13 grass areas involving 10,000 or more persons that extend more
14 than one day are substantially likely to result in significant
15 damage to the turf; and

16 WHEREAS, the Commission finds that Golden Gate Park was
17 created to offer an alternative to the urban setting so that
18 citizens would have available to them a serene, natural
19 environment for their aesthetic, athletic and recreational
20 enjoyment; and

21 WHEREAS, Golden Gate Park lands were constructed on
22 shifting sand dunes and in most areas of Golden Gate Park there
23 is only a two inch layer of top soil and an unrestricted use of
24 Golden Gate Park meadows by large crowds is substantially likely
25 to cause damage to the fragile crust of soil and surrounding
26 vegetation; and

1 WHEREAS, the Commission remains concerned that allowing an
2 unrestricted number of events involving crowds of 25,000 or more
3 in the Polo Field will result in a cumulative, long-term adverse
4 impact upon the fragile soil and vegetation at the west end of
5 Golden Gate Park; and

6 WHEREAS, the Commission reaffirms its objectives and
7 policies for Golden Gate Park as set forth in its plan for Golden
8 Gate Park, adopted pursuant to Resolution No. 11678 and amended
9 pursuant to Resolution No. 14043, wherein, among other things the
10 Commission states its policy that large gatherings may well be
11 accommodated in San Francisco parks other than Golden Gate Park
12 so as to balance the city-wide recreational program and alleviate
13 wear and tear on Golden Gate Park; and

14 WHEREAS, the Commission also states in the Golden Gate Park
15 Plan that permittees proposing an event which will draw at least
16 5,000 persons within Golden Gate Park should be requested to
17 prepare a transportation analysis detailing possible
18 transportation impacts to Golden Gate Park. Where appropriate
19 permittees proposing large events should provide a transportation
20 management system that will prevent additional automobile
21 congestion, user conflicts and all-day parking by
22 non-recreational users within the park system; and

23 WHEREAS, the Commission finds that the unrestricted and
24 unregulated duration of amplified sound in Golden Gate Park has
25 an adverse impact upon the surrounding neighbors' quiet enjoyment
26 of their property and unreasonably interferes with their right of

1 privacy; now, therefore, be it

2 RESOLVED, that this Commission does hereby adopt the
3 policies and procedures stated herein for the issuance of permits
4 for the use of park property; and be it

5 FURTHER RESOLVED, that the staff shall decide which park
6 facility within the jurisdiction of this Commission is the most
7 suitable facility to accommodate the interests of the permittee;
8 provided however, that staff shall in all cases consider the
9 nature of the event, anticipated impact on the neighborhood,
10 anticipated attendance, the policies and guidelines set forth in
11 this resolution, the expertise and experience of the permittee in
12 organizing the type of event proposed, and any other facts and
13 circumstances that relate to any potential adverse impact on the
14 park property, the neighborhood or the public so long as such
15 impacts are unrelated to the content of the event.

16 I. PARK CODE SECTION 7.03 PERMIT APPLICATIONS

17 A. APPLICATION PROCEDURE

18 1. Except for permits for large events described below, and
19 permits for the sale of food or distribution of free food a
20 written application for a permit to perform an activity listed in
21 Section 7.03 shall be made to the Recreation and Park Department
22 at least 15 days in advance, excluding Saturdays, Sundays and
23 legal holidays, so that staff will have adequate time to process
24 requests properly, meet with parties of interest, and coordinate
25 with other affected public agencies as needed. A written
26 application for a permit to perform an activity listed in Section

1 7.03 which is a large event with an expected attendance of at
2 least 5,000 or for the sale or distribution of food shall be made
3 to the Recreation and Park Department at least 30 days in
4 advance, excluding Saturdays, Sundays and legal holidays, so that
5 staff will have adequate time to schedule meetings with the
6 permittee and other affected public agencies. Applications for
7 events with an expected attendance of at least 5,000 shall
8 include all of the following information:

9 (a) The name, address and telephone number of the
10 applicant;

11 (b) The name(s) of all sponsoring, participating and/or
12 performing groups;

13 (c) A description of the activity for which a permit is
14 sought;

15 (d) The date, starting time, place and the estimated
16 length of time of the event;

17 (e) The number of persons that are expected to be
18 involved and the reasons for anticipating such a number;

19 (f) At least two preferred or desired locations;

20 (g) A transportation management plan detailing
21 methodologies and measures for minimizing and promoting transit
22 use, as well as other plans or proposals, detailing methodologies
23 for minimizing litter, congestion and noise at the preferred or
24 desired location and the surrounding areas that would be affected
25 by the proposed event;

26 (h) Where the applicant is an individual, the signature

1 of the applicant, and where the applicant is a person other than
2 an individual, the signature, name, address, and telephone number
3 of the individual executing the application on behalf of the
4 applicant.

5 Applications for events with an expected attendance of less
6 than 5,000 persons or for the sale or distribution of food to
7 less than 5,000 persons shall include all of the following
8 information set forth in subsections 1 (a) through (f) and (h).

9 2. The various time requirements for advance application
10 may be waived by the General Manager, upon request in writing by
11 the applicant, if the General Manager determines that the event
12 or events giving rise to the permit application do not reasonably
13 allow a person time to file a permit application within the
14 required time or if an unusual event or combination of events
15 renders such requirement an unreasonable restriction on the right
16 of free speech. No permit application submitted more than 365
17 days before the proposed activity may be approved.

18 3. Spontaneous daily gatherings of individuals dedicated to
19 the practice of various forms of martial arts or Tai Chi exercise
20 may freely assemble without prior application for a permit on
21 certain park properties which shall be designated by the General
22 Manager. The General Manager shall maintain the list of the
23 designated park properties and shall make the list available to
24 the public and the Police Department. The General Manager shall
25 inform persons wishing to use designated park properties for the
26 practice of martial arts or Tai Chi exercise that the designated

1 properties are available only when they are not in use pursuant
2 to an approved permit. The General Manager may add or delete
3 designated park properties from the list as is deemed
4 appropriate. Any changes to the list shall be reported to the
5 Commission in the General Manager's report at the Commission
6 meeting immediately following the General Manager's decision to
7 add or delete a designated site. Nothing in this subsection
8 shall be construed to affect the requirements of Park Code
9 Section 7.03 subsections (e) (pre-event publicity) and (m)
10 amplified sound) or Section 3.08 (compensation for instruction).

11 B. PROCESSING PROCEDURE FOR PARK CODE
12 SECTION 7.03 ACTIVITIES

13 1. Except for applications for the use of the Polo Field
14 for one of the four nonathletic events, fully completed permit
15 applications for the same desired location shall be processed in
16 order of receipt. Revision of an application shall not cause an
17 application to lose priority as to the location desired, unless
18 the revision includes the request for a new location.

19 2. Fully completed permit applications for activities
20 listed in Park Code Section 7.03 received less than 30 days prior
21 to the date of the proposed event shall be processed within 10
22 days, excluding Saturdays, Sundays and legal holidays. An
23 application shall be deemed processed within 10 days if the
24 approval or denial is mailed to the address contained in the
25 permit application within 10 days after the day it is received or
26 is communicated orally within 10 days after the day it is

1 received, excluding Saturdays, Sundays, and legal holidays. A
2 copy of any written approval or denial of an application shall be
3 kept by the Recreation and Park Department and shall be made
4 available to the applicant upon request.

5 3. Fully completed permit applications for activities
6 listed in Section 7.03 received 30 days or more before the date
7 of the proposed activity shall be processed as time allows but in
8 no event shall notice of approval or denial be mailed or
9 communicated less than 24 calendar days prior to the date of the
10 proposed activity.

11 4. Permit applications received in less than the required
12 15 and 30 day time limits shall be processed within a reasonable
13 time, provided that the General Manager has waived the advance
14 application requirement as set forth in Section I A above. At
15 the time that the applicant is notified of such waiver, the
16 General Manager shall inform the applicant when his or her
17 application is expected to be acted upon.

18 5. An incomplete permit application shall be returned to
19 the applicant with an explanation as to why it is incomplete
20 whenever the Recreation and Park Department has sufficient
21 information to enable it to return the application.

22 6. Notice of the denial of a permit application shall be
23 accompanied by a statement of the grounds upon which the
24 application was denied.

25 7. If a permit application is revised, the time within
26 which the application must be processed shall be computed from

1 the date of the revision.

2 C. GENERAL

3 1. Permit applicants shall be advised by staff that any
4 publicity issued by the applicant before a permit has issued is
5 done at the applicant's own risk.

6 2. In order to insure that public enjoyment of park
7 properties and the public comfort, convenience, safety and
8 welfare are not disturbed and that public or private property is
9 not damaged, staff may impose reasonable conditions on approval
10 of permit applications, including but not limited to, the
11 conditions that the applicant provide debris boxes, chemical
12 toilet units, protective coverings, monitors, transportation
13 management measures, and security personnel, (after staff
14 consultation with the Police Department) and that the applicant
15 ensure that any stage, booth, platform, tent or other erected
16 structure complies with applicable local laws.

17 3. Staff shall inform applicants of restrictions
18 contained in City ordinances regulating the use of amplified
19 sound, of the issuance of sound amplification permits by the
20 Police Department, and of the fact that sound amplification
21 ordinances are enforced by the Police Department.

22 4. Prior to issuing a permit, staff shall consult the
23 Police Department, Municipal Railway, Fire Department, Health
24 Department, Emergency Ambulance Service, Department of Public
25 Works or other relevant agency if any aspect of a permit request
26 requires action or permission from the agency. Staff may also

1 consult the advice of experts in the community in evaluating
2 which park facility is the most appropriate to accommodate the
3 proposed event. On any request for a permit for an event which
4 will draw over 5,000 persons, staff shall require the applicant
5 to recycle any newspaper, glass or aluminum items generated by
6 the event. The term "recycle" shall mean and include packaging
7 newspaper, glass and aluminum items separately and making
8 arrangements to have these items delivered to neighborhood
9 recycling centers in the City. In consultation with staff
10 permittees may make other arrangements for the disposal of
11 recyclable items.

12 5. Staff may issue one day permits for the sale of food
13 products with approval of the General Manager and the Health
14 Department. All food permits must be filed 30 days in advance of
15 the event. Staff shall have permission to authorize the serving
16 or selling of alcoholic beverages for one day permits with
17 approval of the General Manager so long as the applicant has
18 obtained the necessary approval from the Alcoholic Beverages
19 Commission (ABC).

20 6. Permittee must secure proper Health Department Notice
21 to Operate and if alcohol is involved a permit from ABC. The
22 Recreation and Park Department letter of permit and the Health
23 Department Notice to Operate must be visibly displayed on each
24 booth or location.

25 7. Prior to issuing a permit, staff shall arrange a
26 meeting of all public agencies involved in an event with the

1 sponsors of the event if staff concludes the the anticipated
2 attendance is in excess of 5,000, or if some aspect of the event
3 would require special services or permission from the affected
4 public agencies which could not be arranged through normal permit
5 procedures or by consultation with the agencies by telephone.

6 8. The sale and use of mylar balloons on all park
7 facilities is prohibited.

8 9. The release of helium balloons on all park facilities
9 is prohibited.

10 10. Staff shall advise applicants of the Board of
11 Supervisors' policy against the use of food packaging items which
12 contain chlorofluorocarbons, commonly referred to as styrofoam.
13 Staff shall advise applicants that the use of styrofoam products
14 (defined in San Francisco Health Code Sections 469.1 (a) (b) (d)
15 (e)) on all park facilities is prohibited.

16 11. The General Manager may enter into an agreement with
17 a nonprofit organization seeking to use park property to waive
18 the applicable use fees in exchange for receiving services that
19 may be provided to the City, provided that the value of the fees
20 waived does not exceed the value of the services rendered.

21 12. Staff shall process all permits without
22 discrimination with regard to race, color, religion, ancestry,
23 national origin, age, sex, political affiliation, sexual
24 orientation, disability or on any other grounds prohibited by
25 law, of those individuals or groups requesting such permits.

26 13. Any permittee requesting to erect a stage, booth,

1 platform, tent or other structure must submit an anchoring plan
2 for such structure(s) at the time the permit is requested. The
3 anchoring plan must detail the method to be used to secure such
4 structure(s) in place in a safe and stable condition. No park
5 benches, light standards, trash receptacles, buildings, trees,
6 shrubs and the like may be used for the purpose of securing any
7 structure(s) unless prior approval is received from the General
8 Manager. Staff shall review the anchoring plan prior to the
9 approval of the requested permit.

10 14. Material misrepresentations of fact in an
11 application, in circumstances where the applicant reasonably knew
12 or should have known the application did not contain the true
13 facts, may be considered by the General Manager in determining
14 whether the permit application should be denied or revoked
15 because of the applicant's inability to be responsible for the
16 use of park facilities in compliance with the Park Code and all
17 applicable laws, rules and regulations.

18 If staff has reason to believe that advertising or
19 publicity for an event for which an application is on file or
20 permit has been issued describes or refers to the event in a
21 manner which indicates that the event is different from that
22 described in the letter of intent or application, staff may
23 request the applicant or permittee to submit such advertising or
24 publicity material. Staff shall examine the same for the purpose
25 of determining whether there is reason to conclude that the
26 application inaccurately or incompletely describes the planned

1 event. If it so determines, in cases where the permit has not
2 been granted, staff shall immediately notify applicant of the
3 same and schedule a hearing before the General Manager to
4 determine whether the applicant must modify its application.

5 In cases where the application has been granted, staff
6 shall schedule a hearing before the General Manager for the
7 purpose of revoking the issuance of the permit in light of the
8 changed circumstances.

9 D. PERFORMANCE BONDS

10 1. Staff shall require performance bonds pursuant to the
11 following schedule in order to insure that property is restored
12 and cleaned at the conclusion of the permitted activity:

<u>ATTENDANCE</u>		<u>AMOUNT OF BOND</u>
100 -	150	\$ 150
151 -	299	200
300 -	450	250
451 -	700	350
701 -	1,000	450
1,001 -	1,500	750
1,501 -	3,000	1,000
3,001 -	6,000	1,500
6,001 -	9,000	2,000
9,001 -	15,000	3,000
15,001 -	25,000	3,500
25,001 -	45,000	4,000
45,001 -	75,000	6,000
75,001 -	Plus	\$ 10,000

1 2. Staff may require an applicant to pay a performance bond
2 for events which are expected to draw an attendance of under 100
3 persons, so long as the amount of the performance bond is
4 reasonably related to the anticipated costs of restoring or
5 cleaning the property used in connection with the event.

6 3. THE PERFORMANCE BOND SHALL BE IN THE FORM OF A CASHIER'S
7 CHECK PAYABLE TO THE SAN FRANCISCO RECREATION AND PARK
8 DEPARTMENT. The performance bond shall be returned after the
9 event as soon as it is determined that every area of the park
10 used in connection with the event has been cleaned and restored
11 to the same or equivalent condition that existed immediately
12 prior to the time permission to use the facility was granted.
13 In no case shall the performance bond be returned unless the
14 property is returned to its original condition or the permittee
15 has paid the cost of cleaning and restoring the park property
16 used in connection with the event.

17 4. When an applicant for a permit to perform an activity
18 which is protected by the First Amendment to the U.S.
19 Constitution and for which a performance bond must be posted
20 produces evidence that providing a cash performance bond would be
21 impossible or so financially burdensome that it would preclude
22 the applicant from using park property for the proposed activity,
23 staff shall accept property in lieu of a cash performance bond so
24 long as the property offered is of a type which will reasonably
25 insure restoration and cleaning of the property to be used. If
26 the applicant is unable to provide any such property in lieu of a

1 bond or produces evidence that he or she is indigent, the General
2 Manager may accept in its place written assurances that all
3 necessary appropriate measures will be undertaken by applicant to
4 protect park property against damage if the General Manager
5 determines that the measures proposed by the applicant will be
6 performed and will adequately protect the property.

7 5. If an applicant has used park property in the past
8 pursuant to a permit and has caused damage or injury to property
9 or failed to restore or clean the property at the conclusion of
10 the permitted activity, staff may require the applicant to post a
11 performance bond in an amount greater than that normally
12 required, so long as the increased amount is reasonably related
13 to the anticipated costs of restoring or cleaning the property.
14 However, if an applicant who has damaged property or failed to
15 restore or clean the property in the past has, since that
16 occurrence, used park property pursuant to a permit and has left
17 the property in good condition, the amounts normally required of
18 applicants shall apply.

19 6. Staff may also require an applicant to post a
20 performance bond in an amount greater than that normally
21 required, so long as the increased amount is reasonably related
22 to the anticipated costs of restoring and cleaning the property
23 used in connection with the event.

24 7. General Manager may waive or decrease the performance
25 bond normally required if the applicant has a history of using
26 park property pursuant to a permit and has consistently left the
property used in good condition and no circumstances exist which

1 indicate that the applicant might fail to restore the property
2 after the proposed event.

3 E. INSURANCE REQUIREMENTS

4 Insurance coverage of the type and amount described below
5 shall be required for the following events where the sponsor is
6 other than a governmental entity:

7 1. Any event involving groups of 1,000 or more persons:

8 2. Any event scheduled at night which takes place in whole
9 or part outdoors unless (a) the number involved is so small given
10 the type of activity involved and the location of the event that
11 staff is able to determine that the risk of harm to persons or
12 property is minimal or (b) the applicant or sponsor agrees to
13 provide lighting of sufficient strength that staff is able to
14 determine that the risk of harm to persons or property is minimal

15 3. Any event involving animals;

16 4. Any event which involves large displays, machinery, or
17 any large physical object which could come into physical contact
18 with persons or property and cause injury;

19 5. Any race or marathon for which a permit is required
20 pursuant to Article 7 of the Park Code;

21 6. Any festival except that festivals not providing food
22 for sale or not having games which involve an element of risk do
23 not require insurance.

24 The insurance requirements are as follows: Liability
25 insurance covering all operations, including but not limited to
26 the demised premises, personal injuries and injury to property

1 for single limits of not less than \$1,000,000 applying to bodily
2 injuries (including death at any time resulting therefrom), and
3 property damage or a combination of said injuries.

4 In addition, any event at which food is sold or given to
5 persons other than those in one's own organized group must be
6 covered by the following insurance: Food Products Liability of
7 \$1,000,000 when sale of food is contemplated as part of a
8 requested permit. Conditions of sale as negotiated by the
9 Business Office shall be subject to Commission approval.

10 The normal insurance coverage requirements shall not apply
11 to applicants who propose to engage in an activity protected by
12 the First Amendment of the U.S. Constitution when the applicant
13 produces evidence that complying with those provisions is
14 impossible or so financially burdensome that it would preclude
15 the applicant from using park property for the proposed
16 activity. However, in no event shall the requirement for food
17 products liability coverage be waived when food is involved.

18 F. HOLD HARMLESS AGREEMENT

19 An applicant for any permit to engage in an activity for
20 which a performance bond or insurance coverage is normally
21 required shall also be required to sign an agreement to reimburse
22 the Recreation and Park Department for any costs incurred by it
23 in restoring damage to property caused by the action of the
24 permittee, its officers, employees, or agents, or any person who
25 was, or reasonably should have been, under the permittee's
26 control, and to defend the City against, and indemnify and hold

1 the City harmless from any liability to any person resulting from
2 any damage or injury caused by the actions of the permittee, its
3 officers, employees or agents, or any person who was or
4 reasonably should have been, under the permittee's control
5 whenever the performance bond or insurance coverage is waived.

6 G. FACILITIES

7 1. Those Recreation and Park facilities serving a specific
8 function, such as baseball diamonds, tennis courts, swimming
9 pools and areas used primarily as children's play areas and
10 neighborhood playgrounds, will not be the site of any event that
11 would conflict with what is intended as the primary function of
12 that Recreation and Park facility.

13 2. Those facilities which primarily function as
14 recreational areas for the persons residing or working in the
15 areas adjacent to them shall be used primarily for events and
16 activities designed for recreation, enjoyment or use of such
17 persons. Events which will draw persons from throughout the City
18 or beyond may be permitted in these areas only if to deny such
19 use would unreasonably burden First Amendment expression or no
20 other suitable facility is available. Examples of areas to which
21 this policy refers are Huntington Park, Alta Plaza, Alamo Square,
22 Lafayette Square, Holly Park and the Panhandle of Golden Gate
23 Park.

24 3. In reviewing requests for the use of facilities for
25 demonstrations or musical events or any event requiring amplified
26 sound staff shall schedule these events at facilities recognized

as serving a city-wide function. These facilities include, but are not limited to, Union Square, Candlestick Park, Civic Center Plaza, Justin Herman Plaza (Embarcadero Plaza), McLaren Amphitheater, Portsmouth Square, Music Concourse, Kezar Stadium and Marx Meadow in Golden Gate Park.

4. Staff shall not schedule an event at any facility if the staff has reason to conclude that the event will attract an audience which will exceed the maximum capacity of that facility. The facilities listed below have the capacity indicated:

10 Sq. Feet Per Person

Beach Chalet Playing Field		28,000
Candlestick Park Field (5 sq. ft. per person)		24,800
Candlestick Park Parking Lot		240,000
Kezar Field & Track		14,300
with seats		30,000
Lindley Meadow		23,120
Log Cabin Picnic Area	W	2,560
	E	4,480
Marina Green	W	9,216
	E	8,880
Marx Meadow		6,720
McLaren Amphitheater		4,320
Polo Field		9,360
Sharon Meadow		10,680
Speedway Meadow		28,920

1	Stern Grove Concert Area	7,460
2	with organized seating	20,000
3		
4	<u>5 Sq. Feet Per Person</u>	
5		
6	Civic Center Plaza	
7	North	20,726
8	South	23,264
9	Embarcadero Plaza	13,068
10	Music Concourse (earthquake damaged)	3,000
11	Portsmouth Square with	
12	Brenham Place closed	11,508
13	Union Square	6,000
14	United Nations Plaza	3,600
15	Washington Square (10 sq.ft per person)	8,000

16

17

18 No more than two events which draw 10,000 or more people may be

19 held in the same grass area within one month. There must be at

20 least one full week between each event. Spacing of events is

21 required to allow recovery of the turf. In considering

22 applications for events in grass area which will draw 10,000 or

23 more people staff may limit sponsors to one event per month

24 provided there is a heavy demand for such permits. The foregoing

25 rule shall not be applied to Stern Grove Concert Meadow during

26 the concert season. The Polo Field and Beach Chalet playing

1 field are considered separately in section H.

2 5. Amplified sound may be permitted in Union Square,
3 Embarcadero Plaza, and Civic Center on weekdays, Monday through
4 Friday from 12 noon to 1:30 p.m. only. However, if the permittee
5 is unable to schedule the event in Union Square between 12 noon
6 and 1:30 p.m. on a weekday, amplified sound may be permitted in
7 that unit for a maximum of 2 hours in the evening hours between 5
8 p.m. and 9 p.m. Amplified sound may be permitted in Union Square
9 and Embarcadero Plaza on weekends (Saturday and Sunday) and
10 holidays from 12 noon to 2 p.m. only, except that if the
11 permittee is unable to schedule the event between 12 noon and 2
12 p.m., amplified sound may be permitted at other times, although
13 not earlier than 9 a.m. nor later than 9 p.m., provided that the
14 time for such amplified sound does not exceed 2 hours. Amplified
15 sound may be permitted in the Civic Center on weekends and
16 holidays from 9 a.m. to sunset only. If the permittee is unable
17 to schedule the event in Civic Center on weekends or holidays
18 from 9 a.m. to sunset, amplified sound may be permitted in the
19 Civic Center for a maximum of 2 hours in the evening between 5
20 p.m. and 10 p.m. Amplified sound may be permitted for a maximum
21 of 4 consecutive hours per day at Mission Dolores Park, Marina
22 Green and Washington Square on weekends and holidays from 1 p.m.
23 to sunset and on weekdays not to begin before 9 a.m. or go beyond
24 9 p.m.

25 6. Staff shall limit all permits to one day only. Special
26 permission for consecutive multiple day events may be granted by

1 the Commission who shall consider the nature of the event, the
2 proposed location, the anticipated attendance, and any other
3 facts and circumstances that relate to any potential adverse
4 impact on the park property, the neighborhood, or the public so
5 long as such impacts are unrelated to the content of the event.

6 7. The Commission finds that Union Square and the Civic
7 Center are in great demand for activities and events by many
8 different persons and organizations and that approval of
9 applications received from one person or organization for use of
10 these facilities for numerous multiple dates unfairly restricts
11 the number of persons who may use them. In considering
12 applications for permits to use these facilities, staff may
13 require the applicant to move the proposed event to another
14 location if the applicant has used the facility requested on
15 numerous occasions in the previous two months.

16 H. GOLDEN GATE PARK

17 1. The Polo Field (Golden Gate Park Stadium) shall be
18 reserved for athletic, equestrian and sports events on a priority
19 basis. Four open dates shall be designated for
20 nonathletic/nonsports events drawing at least 25,000 persons.
21 These dates shall be available to the public on the first working
22 Monday of each year. It shall be the policy of this Commission
23 that these dates be designated one each in the months of May,
24 July, September and October to allow for turf recovery and that
25 these dates must be at least 6 weeks apart.

26 The first business day of March is the cutoff date for

1 interested applicants to submit completed applications for the
2 May date at the Polo Field for a nonathletic/nonsports event
3 drawing at least 25,000 persons. The first business day of May
4 is the cutoff date for interested applicants to submit completed
5 applications for the July date at the Polo Field for a
6 nonathletic/nonsports event drawing at least 25,000 persons. The
7 first business day of July is the cutoff date for interested
8 applicants to submit completed applications for the September
9 date at the Polo Field for a nonathletic/nonsports event drawing
10 at least 25,000 persons. The first business day of August is the
11 cutoff date for interested applicants to submit completed
12 applications for the October date at the Polo Field for a
13 nonathletic/nonsports event drawing at least 25,000 persons.
14 Once all of the completed applications are received for a given
15 date they will be evaluated by the staff. A lottery system will
16 be used only if there are two or more applications for a given
17 date. In considering applications for the use of the Polo Field
18 for a nonathletic/nonsports event which will draw 25,000 or more
19 persons, staff may limit sponsors to one date provided there is a
20 heavy demand for such permits.

21 2. Beach Chalet playing fields shall be reserved for
22 athletic and sports events only.

23 3. Speedway Meadow shall be reserved for use primarily as a
24 group picnic area. This area may also be used for large
25 assemblies as set forth in Section G 4.

26 4. Permits for events which require amplified sound permits

1 issued by the Police Department shall be allowed at the Music
2 Concourse and Kezar Stadium between the hours of 9:00 a.m. and
3 5:00 p.m. daily; provided, however, that a maximum of 4 hours of
4 amplified sound per day, no more than 3 days per week shall be
5 allowed at Kezar Stadium.

6 Permits for events which require amplified sound permits
7 issued by the Police Department shall also be allowed at the Polo
8 Field and Marx Meadow between the hours of 10:00 a.m. and 5:00
9 p.m. daily; provided, however, that in no case shall amplified
10 sound before, during and after a nonathletic, equestrian or
11 sports event exceed a total of 4 consecutive hours of amplified
12 sound per day and no more than 12 consecutive hours in a week in
13 the west end of Golden Gate Park.

14 Any permit which requires a sound permit issued by the
15 Police Department as part of an athletic, sports or equestrian
16 event at the Polo Field or Beach Chalet playing field shall in no
17 case allow amplified sound before, during, and after an event in
18 excess of a total of 2 hours. Nothing herein shall be construed
19 to restrict play by play amplified announcements germane to
20 broadcasting athletic, equestrian or sports events at the Polo
21 Field, Beach Chalet playing field, Bercut Field or Kezar Stadium.

22 In all events involving amplified sound the sound level
23 shall not exceed the limit permitted pursuant to applicable
24 provisions of the Police Code. In addition, staff shall not
25 allow more than one event for which an amplified sound permit is
26 required in the west end of Golden Gate Park on a given day;

1 provided further that in order to minimize the impact of noise in
2 the west end of Golden Gate Park on weekends and holidays, staff
3 shall not schedule events with amplified sound for which a sound
4 permit is required, for two consecutive days during a weekend or
5 a weekend holiday of any given week in the west end of Golden
6 Gate Park.

7 5. Except by special permission of the General Manager,
8 there shall be no sale of Street Artists' wares or arts and
9 crafts handiwork in outdoor areas of Golden Gate Park.

10 I. WEDDINGS

11 The following properties are authorized for weddings:
12 Chinese Pavilion, Rose Garden, Wilhemina Tulip Garden,
13 Shakespeare Garden, Rhododendron Dell, Metson Lake, Liberty Tree,
14 Hoover Redwood Grove, George Washington Bicentennial, Elk Glen,
15 the Conservatory, Stern Grove, Pioneer Log Cabin, Marx Meadow,
16 the lawn area and courtyard of the Legion of Honor, Chain of
17 Lakes area. Weddings in other areas shall be by special
18 permission of the General Manager only.

19 J. MECHANICAL RIDES AND AMUSEMENT DEVICES

20 Permits shall not be granted for the installation and use
21 of portable mechanical rides and amusement devices on any
22 Recreation and Park facility.

23 K. APPEAL PROCEDURE

24 1. An applicant for a permit to perform acts described in
25 Park Code Section 7.03 may appeal the denial of a permit
26 application or revocation of a permit by filing with the

1 Secretary of the Recreation and Park Commission a written request
2 for a hearing. The request for a hearing shall state succinctly
3 the grounds upon which it is asserted that the determination of
4 the General Manager should be modified or reversed.

5 2. Once an appeal has been filed, the Secretary shall place
6 the matter on the agenda of the appropriate committee of the
7 Commission for its next regularly scheduled meeting and on the
8 agenda of the Commission for its next regularly scheduled
9 meeting. However, on matters involving questions of significant
10 public interest or policy the General Manager may place the
11 matter on the agenda of the Commission for its next regularly
12 scheduled meeting for decision without placing the matter on the
13 agenda of the appropriate committee of the Commission.

14 3. The Commission shall afford the applicant an opportunity
15 for a hearing and may reverse, affirm or modify in any regard the
16 determination of the General Manager concerning the denial of a
17 permit application or revocation of a permit. When the
18 Commission affirms the denial of a permit application or
19 revocation of a permit, such a decision shall be based on one or
20 more of the reasons listed in Section 7.07 of the Park Code.

21 4. The Commission shall give the applicant written notice
22 of its decision within 3 days after the hearing, Saturdays,
23 Sundays, and legal holidays excluded. Such notice shall be
24 mailed to the applicant at the address contained in the request
25 for a hearing or, if none, in the permit application. The
26 Secretary of the Commission shall keep a copy of the notice on

1 file to be made available to the applicant upon request. When
2 the Commission affirms the denial of the permit application or
3 revocation of a permit or does not approve the permit application
4 as originally made, it shall include within the written notice to
5 the applicant the reasons for the decision and a specification of
6 findings of fact on which the decision is based.

7 5. A person whose permit application has been denied or
8 permit revoked may file in a timely manner a request for an
9 expedited appeal if the regular appeal procedure, set forth
10 above, would deprive the person of a hearing before the
11 Commission prior to the date of the proposed activity for which a
12 permit is sought and a postponement of the date of the proposed
13 activity would prejudice the applicant.

14 6. The Commission shall afford an expedited appeal by
15 providing a hearing and a written notice of its decision within
16 72 hours of the time that the written request for a hearing is
17 filed with the Secretary of the Commission. The written notice
18 shall be filed with the Secretary of the Commission who shall
19 give it to the applicant upon request. If the expiration of the
20 72-hour period does not fall during regular business hours of the
21 Recreation and Park Department, the Commission shall, at the time
22 of the hearing, arrange with the applicant a procedure for making
23 the decision available within 72 hours.

24 7. If a quorum of the Commission cannot be convened within
25 the 72-hour period in order to provide an expedited appeal, the
26 hearing and written notice of decision shall be provided by the

1 General Manager. This duty shall be performed by the General
2 Manager or, in the absence of the General Manager, by the Acting
3 General Manager, and shall not be delegated.

4 8. The determinations as to whether the request for an
5 expedited appeal has been filed in a timely manner and whether
6 postponement of the date of the proposed activity would prejudice
7 the applicant shall be made by the General Manager and the
8 decision of the General Manager on these issues shall be final.
9 The General Manager shall not deny an applicant an expedited
10 appeal without affording the applicant an opportunity to be heard
11 on the issues described. This duty shall be performed by the
12 General Manager or, in the absence of the General Manager, by the
13 Acting General Manager, and shall not be delegated.

14 9. All the procedures established for a regular appeal,
15 other than those pertaining to time, are the same as to an
16 expedited appeal, unless otherwise noted.

17 II. MISCELLANEOUS PERMIT APPLICATION PROCEDURES

18 1. Launching Boats or Other Water Craft

19 The Business Division shall be responsible for concession
20 agreements whereby a person or entity provides water craft for
21 use by the public for a fee.

22 Application for a permit to launch water craft other than
23 through concession agreements shall be made to the Superintendent
24 of Parks.

25 2. Sign Posting

26 Whenever approval is sought to post a sign in any park,

1 such approval shall be sought from the division noted below:

2 Signs posted giving directions to an event for which
3 permit has been issued, from the Division which issued the permit.

4 Signs posted by persons or organizations maintaining and
5 operating recreational facilities on park property on a daily
6 basis, from the Superintendent of Parks.

7 3. Athletic Instruction for Compensation

8 Application for permission to provide athletic instruction
9 for compensation shall be made to the Business Division.

10 4. Launching Airplanes, Helicopters, Hot Air Balloons or
11 Other Apparatus of Aviation

12 Application for such permits shall be made to the Permits
13 and Reservation Section.

14 5. Peddling Goods, Wares or Merchandise

15 Application for such permits shall be made to the Permits
16 and Reservation Section if the sale is to take place only one
17 day, and otherwise to the Business Division.

18 6. Camping

19 Application for permits to construct or maintain camping or
20 housing accommodations shall be made to the Permits and
21 Reservation Section.

22 7. Sleeping Overnight

23 Application for permits to sleep between 10:00 p.m. and
24 6:00 a.m. in order to provide security services shall be made to
25 the Permits and Reservation Section.

26 ////

1 8. Performance of Labor, Deposit of Building Material

2 Application for permission to remove any tree, wood, bush,
3 turf, shrub, flower, plant, grass, soil, rock or similar thing
4 shall be made to the Superintendent of Parks.

5 9. Alcoholic Beverages

6 Application for permission to consume alcoholic beverages
7 shall be made, as to playgrounds, to the Community Services
8 Section, and, as to all other locations, to the Permits and
9 Reservation Section.

10 10. Soliciting Passengers for Vehicles for Hire

11 Application for permission to establish or maintain any
12 stand or other equipment for procuring customers for any vehicle
13 let or used for hire shall be made to the Business Division.

14 11. Commercial Photography, Filming, Recording

15 Application for permission to engage in commercial
16 photography, filming or recording shall be made to the Film
17 Permit Coordinator.

18 III. GENERAL APPEAL PROCEDURES FOR DENIAL OF PERMIT APPLICATIONS

19 Denial by staff of an application for a permit to engage in
20 an activity described in this resolution, other than activities
21 described in Park Code Section 7.03, may be appealed to the
22 Recreation and Park Commission in the same manner as a regular or
23 expedited appeal as set forth in Section I. K. In addition,
24 denial by staff of an application for permission to use a
25 building on park property may be appealed to the Commission, in
26 the same manner as a regular or expedited appeal as set forth in

1 Section I. K.

2 IV. REGULATIONS GOVERNING DISTRIBUTION OR SALE OF FOOD TO
3 THE GENERAL PUBLIC ON PARK PROPERTY

4 Park Code Section 7.03(k) requires a permit to provide food
5 to persons on park property. Pursuant to Charter Section 3.552
6 and Park Code Sections 3.01 and 7.706, the Commission hereby
7 establishes the following regulations for the use of park
8 property for the distribution or sale of food.

9 1. Except as provided in Section IV 2., no person shall,
10 without a permit from the General Manager or the Commission as
11 set forth below, distribute, provide or sell food to the general
12 public, including but not limited to the homeless, on park
13 property.

14 (a) The General Manager may approve a permit
15 application for the distribution, provision or sale of food to
16 the general public when the proposed activity takes place in an
17 indoor facility appropriate for such use or is in connection with
18 a recreational activity on park property.

19 (b) Applications for the distribution, provision or
20 sale of food not subject to subsection (a) above shall be
21 referred to the Commission for action.

22 2. Exceptions. A permit to sell or provide food to
23 persons on park property is not required when a person
24 participating in a picnic or social gathering of 25 or fewer
25 persons provides food to others who are also participating in
26 that picnic or social gathering. This exception shall not be

1 construed to allow any person to use park property, without a
2 permit, as a mobile or stationary kitchen, eating establishment,
3 restaurant or similar purpose to provide or sell food to the
4 general public, including but not limited to the homeless.

5 V. STAFF REVIEW OF REGULATIONS

6 The Commission directs the General Manager and staff to
7 continue to evaluate the viability of these regulations and to
8 ascertain whether this scheme strikes the proper balance between
9 the recreational, constitutional and property interests of San
10 Franciscans heretofore mentioned and the Commission's substantial
11 interest in preserving park property, limiting excessive noise
12 and congestion and other police problems that may result from
13 activities on park property. The General Manager shall report to
14 this Commission its findings as to this issue no later than the
15 first and seventh Commission meetings of each calendar year.

16 APPROVED AS TO FORM:

17 LOUISE H. RENNE, City Attorney

18 

19 MERA E. ROSALES
20 Deputy City Attorney

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22
23
24 5350g

26 1/17/91

City and County of San Francisco

Recreation and Park Commission



Art Agnos, Mayor

Mary E. Burns
General Manager

Connie O'Connor
President

Keith Eickman
Vice President

Sidney Chan
Richard J. Guggenheimer
Frances McAteer
Trent Orr
Santiago Ruiz

Shauna Marie Rose
Secretary

August 28, 1991

Ms. Dolores Gater
Documents Section
San Francisco Public Library
Civic Center
San Francisco, California 94102

Subject: Section 7.05 of the San Francisco Park Code
Permit and Reservations Policy

Dear Ms. Gater:

Section 7.05 of the San Francisco Park Code requires that the Recreation and Park Commission adopt procedures for the filing and processing of permit applications and that these procedures be on file in the Clerk of the Board of Supervisors office.

As you know, the Commission Office has been asked to have a copy of the Permit and Reservation Policy on file with the Documents Section of the Main Library.

Accordingly, please find enclosed Resolution No. 16197 (the Permit and Reservations Policy) which was adopted by the Recreation and Park Commission on August 15, 1991.

If you have any questions, please contact me.

Sincerely,

Shauna Marie Rose
Commission Secretary

Enclosure

Resolution No. 16197

SUPERSEDES RESOLUTION NO. 13094; RESOLUTION NO. 10575 - (DECEMBER 9, 1976), RESOLUTION NO. 11630 (APRIL 19, 1979), RESOLUTION NO. 12629 (OCTOBER 7, 1981), RESOLUTION NO. 12409 (MARCH 12, 1981), RESOLUTION NO. 14375 (MAY 15, 1986), RESOLUTION 14993 (MARCH 17, 1988), RESOLUTION NO. 15256 (JANUARY 19, 1989), RESOLUTION NO. 15431 (JULY 20, 1989); RESOLUTION NO. 15585 (JANUARY 18, 1990) and RESOLUTION NO. 15840 (OCTOBER 18, 1990); RESOLUTION NO. 15902 (JANUARY 17, 1991).

WHEREAS, Section 7.05 of the Park Code requires this Commission to adopt procedures for the filing and processing of applications for permits to engage in the activities set forth in Section 7.03; and

WHEREAS, Section 7.20 of the Park Code requires this Commission to adopt procedures for the appeal of the denial of an application for a permit to engage in the activities set forth in Section 7.03; and

WHEREAS, various provisions of the Park Code other than Section 7.03 require a permit to engage in certain activities without specifying the division responsible for issuing the permit or the appropriate appeal procedure; and

WHEREAS, the Commission recognizes that the right of citizens to hold assemblies is a treasured right in our society; and

WHEREAS, the Commission acknowledges that the use of park property for public assemblies is a privilege to be exercised by those who accept the attendant duty of protecting and preserving

1 park property against damage and who agree to comply with all
2 relevant laws; and

3 WHEREAS, the Commission finds that events involving 10,000
4 or more persons that are anticipated to extend more than one day
5 pose police problems if such events are substantially likely to
6 attract persons who will refuse to leave the park during the
7 night, in violation of Park Code Section 3.13 (sleeping
8 prohibited in the park at night) or who may use campers and other
9 vehicles at night, in violation of Police Code Section 97 (use of
10 vehicles for habitation at night in parks and on streets and
11 public ways prohibited); and

12 WHEREAS, the Commission also finds that events held in
13 grass areas involving 10,000 or more persons that extend more
14 than one day are substantially likely to result in significant
15 damage to the turf; and

16 WHEREAS, the Commission finds that Golden Gate Park was
17 created to offer an alternative to the urban setting so that
18 citizens would have available to them a serene, natural
19 environment for their aesthetic, athletic and recreational
20 enjoyment; and

21 WHEREAS, Golden Gate Park lands were constructed on
22 shifting sand dunes and in most areas of Golden Gate Park there
23 is only a two inch layer of top soil and an unrestricted use of
24 Golden Gate Park meadows by large crowds is substantially likely
25 to cause damage to the fragile crust of soil and surrounding
26 vegetation; and

27 WHEREAS, the Commission remains concerned that allowing an
28 unrestricted number of events involving crowds of 25,000 or more

1 in the Polo Field will result in a cumulative, long-term adverse
2 impact upon the fragile soil and vegetation at the west end of
3 Golden Gate Park; and

4 WHEREAS, the Commission reaffirms its objectives and
5 policies for Golden Gate Park as set forth in its plan for Golden
6 Gate Park, adopted pursuant to Resolution No. 11678 and amended
7 pursuant to Resolution No. 14048, wherein, among other things the
8 Commission states its policy that large gatherings may well be
9 accommodated in San Francisco parks other than Golden Gate Park
10 so as to balance the city-wide recreational program and alleviate
11 wear and tear on Golden Gate Park; and

12 WHEREAS, the Commission also states in the Golden Gate Park
13 Plan that permittees proposing an event which will draw at least
14 5,000 persons within Golden Gate Park should be requested to
15 prepare a transportation analysis detailing possible
16 transportation impacts to Golden Gate Park. Where appropriate
17 permittees proposing large events should provide a transportation
18 management system that will prevent additional automobile
19 congestion, user conflicts and all-day parking by
20 non-recreational users within the park system; and

21 WHEREAS, the Commission finds that the unrestricted and
22 unregulated duration of amplified sound in Golden Gate Park has
23 an adverse impact upon the surrounding neighbors' quiet enjoyment
24 of their property and unreasonably interferes with their right of
25 privacy; now, therefore, be it

26 RESOLVED, that this Commission does hereby adopt the
27 policies and procedures stated herein for the issuance of permits
28 for the use of park property; and be it

1 FURTHER RESOLVED, that the staff shall decide which park
2 facility within the jurisdiction of this Commission is the most
3 suitable facility to accommodate the interests of the permittee,
4 provided however, that staff shall in all cases consider the
5 nature of the event, anticipated impact on the neighborhood,
6 anticipated attendance, the policies and guidelines set forth in
7 this resolution, the expertise and experience of the permittee
8 organizing the type of event proposed, and any other facts and
9 circumstances that relate to any potential adverse impact on the
10 park property, the neighborhood or the public so long as such
11 impacts are unrelated to the content of the event.

12 I. PARK CODE SECTION 7.03 PERMIT APPLICATIONS

13 A. APPLICATION PROCEDURE

14 1. Except for permits for large events described below, and
15 permits for the sale of food or distribution of free food a
16 written application for a permit to perform an activity listed in
17 Section 7.03 shall be made to the Recreation and Park Department
18 at least 15 days in advance, excluding Saturdays, Sundays and
19 legal holidays, so that staff will have adequate time to process
20 requests properly, meet with parties of interest, and coordinate
21 with other affected public agencies as needed. A written
22 application for a permit to perform an activity listed in Section
23 7.03 which is a large event with an expected attendance of at
24 least 5,000 or for the sale or distribution of food shall be made
25 to the Recreation and Park Department at least 30 days in
26 advance, excluding Saturdays, Sundays and legal holidays, so that
27 staff will have adequate time to schedule meetings with the
28 permittee and other affected public agencies. Applications for

1 events with an expected attendance of at least 5,000 shall
2 include all of the following information:

3 (a) The name, address and telephone number of the
4 applicant;

5 (b) The name(s) of all sponsoring, participating and/or
6 performing groups;

7 (c) A description of the activity for which a permit is
8 sought;

9 (d) The date, starting time, place and the estimated
10 length of time of the event;

11 (e) The number of persons that are expected to be
12 involved and the reasons for anticipating such a number;

13 (f) At least two preferred or desired locations;

14 (g) A transportation management plan detailing
15 methodologies and measures for minimizing and promoting transit
16 use, as well as other plans or proposals, detailing methodologies
17 for minimizing litter, congestion and noise at the preferred or
18 desired location and the surrounding areas that would be affected
19 by the proposed event;

20 (h) Where the applicant is an individual, the signature
21 of the applicant, and where the applicant is a person other than
22 an individual, the signature, name, address, and telephone number
23 of the individual executing the application on behalf of the
24 applicant.

25 Applications for events with an expected attendance of less
26 than 5,000 persons or for the sale or distribution of food to
27 less than 5,000 persons shall include all of the following
28 information set forth in subsections 1 (a) through (f) and (h).

1 2. The various time requirements for advance application
2 may be waived by the General Manager, upon request in writing by
3 the applicant, if the General Manager determines that the event
4 or events giving rise to the permit application do not reasonably
5 allow a person time to file a permit application within the
6 required time or if an unusual event or combination of events
7 renders such requirement an unreasonable restriction on the right
8 of free speech. No permit application submitted more than 365
9 days before the proposed activity may be approved.

10 3. Spontaneous daily gatherings of individuals dedicated to
11 the practice of various forms of martial arts or Tai Chi exercise
12 may freely assemble without prior application for a permit on
13 certain park properties which shall be designated by the General
14 Manager. The General Manager shall maintain the list of the
15 designated park properties and shall make the list available to
16 the public and the Police Department. The General Manager shall
17 inform persons wishing to use designated park properties for the
18 practice of martial arts or Tai Chi exercise that the designated
19 properties are available only when they are not in use pursuant
20 to an approved permit. The General Manager may add or delete
21 designated park properties from the list as is deemed
22 appropriate. Any changes to the list shall be reported to the
23 Commission in the General Manager's report at the Commission
24 meeting immediately following the General Manager's decision to
25 add or delete a designated site. Nothing in this subsection
26 shall be construed to affect the requirements of Park Code
27 Section 7.03 subsections (e) (pre-event publicity) and (m)
28 amplified sound) or Section 3.08 (compensation for instruction).

1 B. PROCESSING PROCEDURE FOR PARK CODE
2 SECTION 7.03 ACTIVITIES

3 1. Except for applications for the use of the Polo Field
4 for one of the four nonathletic events, fully completed permit
5 applications for the same desired location shall be processed in
6 order of receipt. Revision of an application shall not cause an
7 application to lose priority as to the location desired, unless
8 the revision includes the request for a new location.

9 2. Fully completed permit applications for activities
10 listed in Park Code Section 7.03 received less than 30 days prior
11 to the date of the proposed event shall be processed within 10
12 days, excluding Saturdays, Sundays and legal holidays. An
13 application shall be deemed processed within 10 days if the
14 approval or denial is mailed to the address contained in the
15 permit application within 10 days after the day it is received or
16 is communicated orally within 10 days after the day it is
17 received, excluding Saturdays, Sundays, and legal holidays. A
18 copy of any written approval or denial of an application shall be
19 kept by the Recreation and Park Department and shall be made
20 available to the applicant upon request.

21 3. Fully completed permit applications for activities
22 listed in Section 7.03 received 30 days or more before the date
23 of the proposed activity shall be processed as time allows but in
24 no event shall notice of approval or denial be mailed or
25 communicated less than 24 calendar days prior to the date of the
26 proposed activity.

27 4. Permit applications received in less than the required
28 15 and 30 day time limits shall be processed within a reasonable

1 time, provided that the General Manager has waived the advance
2 application requirement as set forth in Section I A above. At
3 the time that the applicant is notified of such waiver, the
4 General Manager shall inform the applicant when his or her
5 application is expected to be acted upon.

6 5. An incomplete permit application shall be returned to
7 the applicant with an explanation as to why it is incomplete
8 whenever the Recreation and Park Department has sufficient
9 information to enable it to return the application.

10 6. Notice of the denial of a permit application shall be
11 accompanied by a statement of the grounds upon which the
12 application was denied.

13 7. If a permit application is revised, the time within
14 which the application must be processed shall be computed from
15 the date of the revision.

16 C. GENERAL

17 1. Permit applicants shall be advised by staff that any
18 publicity issued by the applicant before a permit has issued is
19 done at the applicant's own risk.

20 2. In order to insure that public enjoyment of park
21 properties and the public comfort, convenience, safety and
22 welfare are not disturbed and that public or private property is
23 not damaged, staff may impose reasonable conditions on approval
24 of permit applications, including but not limited to, the
25 conditions that the applicant provide debris boxes, chemical
26 toilet units, protective coverings, monitors, transportation
27 management measures, and security personnel, (after staff
28 consultation with the Police Department) and that the applicant

1 ensure that any stage, booth, platform, tent or other erected
2 structure complies with applicable local laws.

3 3. Staff shall inform applicants of restrictions
4 contained in City ordinances regulating the use of amplified
5 sound, of the issuance of sound amplification permits by the
6 Police Department, and of the fact that sound amplification
7 ordinances are enforced by the Police Department.

8 4. Prior to issuing a permit, staff shall consult the
9 Police Department, Municipal Railway, Fire Department, Health
10 Department, Emergency Ambulance Service, Department of Public
11 Works or other relevant agency if any aspect of a permit request
12 requires action or permission from the agency. Staff may also
13 consult the advice of experts in the community in evaluating
14 which park facility is the most appropriate to accommodate the
15 proposed event. On any request for a permit for an event which
16 will draw over 5,000 persons, staff shall require the applicant
17 to recycle any newspaper, glass or aluminum items generated by
18 the event. The term "recycle" shall mean and include packaging
19 newspaper, glass and aluminum items separately and making
20 arrangements to have these items delivered to neighborhood
21 recycling centers in the City. In consultation with staff
22 permittees may make other arrangements for the disposal of
23 recyclable items.

24 5. Staff may issue one day permits for the sale of food
25 products with approval of the General Manager and the Health
26 Department. All food permits must be filed 30 days in advance of
27 the event. Staff shall have permission to authorize the serving
28 or selling of alcoholic beverages for one day permits with

1 approval of the General Manager so long as the applicant has
2 obtained the necessary approval from the Alcoholic Beverages
3 Commission (ABC).

4 6. Permittee must secure proper Health Department Notice
5 to Operate and if alcohol is involved a permit from ABC. The
6 Recreation and Park Department letter of permit and the Health
7 Department Notice to Operate must be visibly displayed on each
8 booth or location.

9 7. Prior to issuing a permit, staff shall arrange a
10 meeting of all public agencies involved in an event with the
11 sponsors of the event if staff concludes the the anticipated
12 attendance is in excess of 5,000, or if some aspect of the event
13 would require special services or permission from the affected
14 public agencies which could not be arranged through normal permit
15 procedures or by consultation with the agencies by telephone.

16 8. The sale and use of mylar balloons on all park
17 facilities is prohibited.

18 9. The release of helium balloons on all park facilities
19 is prohibited.

20 10. Staff shall advise applicants of the Board of
21 Supervisors' policy against the use of food packaging items which
22 contain chlorofluorocarbons, commonly referred to as styrofoam.
23 Staff shall advise applicants that the use of styrofoam products
24 (defined in San Francisco Health Code Sections 469.1 (a) (b) (d)
25 (e)) on all park facilities is prohibited.

26 11. The General Manager may enter into an agreement with
27 a nonprofit organization seeking to use park property to waive
28 the applicable use fees in exchange for receiving services that

1 may be provided to the City, provided that the value of the fees
2 waived does not exceed the value of the services rendered.

3 12. Staff shall process all permits without
4 discrimination with regard to race, color, religion, ancestry,
5 national origin, age, sex, political affiliation, sexual
6 orientation, disability or on any other grounds prohibited by
7 law, of those individuals or groups requesting such permits.

8 13. Any permittee requesting to erect a stage, booth,
9 platform, tent or other structure must submit an anchoring plan
10 for such structure(s) at the time the permit is requested. The
11 anchoring plan must detail the method to be used to secure such
12 structure(s) in place in a safe and stable condition. No park
13 benches, light standards, trash receptacles, buildings, trees,
14 shrubs and the like may be used for the purpose of securing any
15 structure(s) unless prior approval is received from the General
16 Manager. Staff shall review the anchoring plan prior to the
17 approval of the requested permit.

18 14. Material misrepresentations of fact in an
19 application, in circumstances where the applicant reasonably knew
20 or should have known the application did not contain the true
21 facts, may be considered by the General Manager in determining
22 whether the permit application should be denied or revoked
23 because of the applicant's inability to be responsible for the
24 use of park facilities in compliance with the Park Code and all
25 applicable laws, rules and regulations.

26 If staff has reason to believe that advertising or
27 publicity for an event for which an application is on file or
28 permit has been issued describes or refers to the event in a

1 manner which indicates that the event is different from that
2 described in the letter of intent or application, staff may
3 request the applicant or permittee to submit such advertising or
4 publicity material. Staff shall examine the same for the purpose
5 of determining whether there is reason to conclude that the
6 application inaccurately or incompletely describes the planned
7 event. If it so determines, in cases where the permit has not
8 been granted, staff shall immediately notify applicant of the
9 same and schedule a hearing before the General Manager to
10 determine whether the applicant must modify its application.

11 In cases where the application has been granted, staff
12 shall schedule a hearing before the General Manager for the
13 purpose of revoking the issuance of the permit in light of the
14 changed circumstances.

15 D. PERFORMANCE BONDS

16 1. Staff shall require performance bonds pursuant to the
17 following schedule in order to insure that property is restored
18 and cleaned at the conclusion of the permitted activity:

<u>ATTENDANCE</u>		<u>AMOUNT OF BOND</u>
100 -	150	\$ 150
151 -	299	200
300 -	450	250
451 -	700	350
701 -	1,000	450
1,001 -	1,500	750
1,501 -	3,000	1,000
3,001 -	6,000	1,500
6,001 -	9,000	2,000

1	9,001 - 15,000	3,000
2	15,001 - 25,000	3,500
3	25,001 - 45,000	4,000
4	45,001 - 75,000	6,000
5	75,001 - Plus	\$ 10,000

6 2. Staff may require an applicant to pay a performance bond
7 for events which are expected to draw an attendance of under 100
8 persons, so long as the amount of the performance bond is
9 reasonably related to the anticipated costs of restoring or
10 cleaning the property used in connection with the event.

11 3. THE PERFORMANCE BOND SHALL BE IN THE FORM OF A CASHIERS
12 CHECK PAYABLE TO THE SAN FRANCISCO RECREATION AND PARK
13 DEPARTMENT. The performance bond shall be returned after the
14 event as soon as it is determined that every area of the park
15 used in connection with the event has been cleaned and restored
16 to the same or equivalent condition that existed immediately
17 prior to the time permission to use the facility was granted. In
18 no case shall the performance bond be returned unless the
19 property is returned to its original condition or the permittee
20 has paid the cost of cleaning and restoring the park property
21 used in connection with the event.

22 4. When an applicant for a permit to perform an activity
23 which is protected by the First Amendment to the U.S.
24 Constitution and for which a performance bond must be posted
25 produces evidence that providing a cash performance bond would be
26 impossible or so financially burdensome that it would preclude
27 the applicant from using park property for the proposed activity,
28 staff shall accept property in lieu of a cash performance bond so

1 long as the property offered is of a type which will reasonably
2 insure restoration and cleaning of the property to be used. If
3 the applicant is unable to provide any such property in lieu of
4 bond or produces evidence that he or she is indigent, the General
5 Manager may accept in its place written assurances that all
6 necessary appropriate measures will be undertaken by applicant to
7 protect park property against damage if the General Manager
8 determines that the measures proposed by the applicant will be
9 performed and will adequately protect the property.

10 5. If an applicant has used park property in the past
11 pursuant to a permit and has caused damage or injury to property
12 or failed to restore or clean the property at the conclusion of
13 the permitted activity, staff may require the applicant to post
14 performance bond in an amount greater than that normally
15 required, so long as the increased amount is reasonably related
16 to the anticipated costs of restoring or cleaning the property.
17 However, if an applicant who has damaged property or failed to
18 restore or clean the property in the past has, since that
19 occurrence, used park property pursuant to a permit and has left
20 the property in good condition, the amounts normally required of
21 applicants shall apply.

22 6. Staff may also require an applicant to post a
23 performance bond in an amount greater than that normally
24 required, so long as the increased amount is reasonably related
25 to the anticipated costs of restoring and cleaning the property
26 used in connection with the event.

27 7. General Manager may waive or decrease the performance
28 bond normally required if the applicant has a history of using

1 park property pursuant to a permit and has consistently left the
2 property 'used in good condition and no circumstances exist which
3 indicate that the applicant might fail to restore the property
4 after the proposed event.

5 E. INSURANCE REQUIREMENTS

6 Insurance coverage of the type and amount described below
7 shall be required for the following events where the sponsor is
8 other than a governmental entity:

9 1. Any event involving groups of 1,000 or more persons;

10 2. Any event scheduled at night which takes place in whole
11 or part outdoors unless (a) the number involved is so small given
12 the type of activity involved and the location of the event that
13 staff is able to determine that the risk of harm to persons or
14 property is minimal or (b) the applicant or sponsor agrees to
15 provide lighting of sufficient strength that staff is able to
16 determine that the risk of harm to persons or property is minimal.

17 3. Any event involving animals;

18 4. Any event which involves large displays, machinery, or
19 any large physical object which could come into physical contact
20 with persons or property and cause injury;

21 5. Any race or marathon for which a permit is required
22 pursuant to Article 7 of the Park Code;

23 6. Any festival except that festivals not providing food
24 for sale or not having games which involve an element of risk do
25 not require insurance.

26 The insurance requirements are as follows: Liability
27 insurance covering all operations, including but not limited to
28 the demised premises, personal injuries and injury to property

1 for single limits of not less than \$1,000,000 applying to bodily
2 injuries (including death at any time resulting therefrom), and
3 property damage or a combination of said injuries.

4 In addition, any event at which food is sold or given to
5 persons other than those in one's own organized group must be
6 covered by the following insurance: Food Products Liability of
7 \$1,000,000 when sale of food is contemplated as part of a
8 requested permit. Conditions of sale as negotiated by the
9 Business Office shall be subject to Commission approval.

10 The normal insurance coverage requirements shall not apply
11 to applicants who propose to engage in an activity protected by
12 the First Amendment of the U.S. Constitution when the applicant
13 produces evidence that complying with those provisions is
14 impossible or so financially burdensome that it would preclude
15 the applicant from using park property for the proposed
16 activity. However, in no event shall the requirement for food
17 products liability coverage be waived when food is involved.

18 F. HOLD HARMLESS AGREEMENT

19 An applicant for any permit to engage in an activity for
20 which a performance bond or insurance coverage is normally
21 required shall also be required to sign an agreement to reimburse
22 the Recreation and Park Department for any costs incurred by it
23 in restoring damage to property caused by the action of the
24 permittee, its officers, employees, or agents, or any person who
25 was, or reasonably should have been, under the permittee's
26 control, and to defend the City against, and indemnify and hold
27 the City harmless from any liability to any person resulting from
28 any damage or injury caused by the actions of the permittee, its

1 officers, employees or agents, or any person who was or
2 reasonably should have been, under the permittee's control
3 whenever the performance bond or insurance coverage is waived.

4 G. FACILITIES

5 1. Those Recreation and Park facilities serving a specific
6 function, such as baseball diamonds, tennis courts, swimming
7 pools and areas used primarily as children's play areas and
8 neighborhood playgrounds, will not be the site of any event that
9 would conflict with what is intended as the primary function of
10 that Recreation and Park facility.

11 2. Those facilities which primarily function as
12 recreational areas for the persons residing or working in the
13 areas adjacent to them shall be used primarily for events and
14 activities designed for recreation, enjoyment or use of such
15 persons. Events which will draw persons from throughout the City
16 or beyond may be permitted in these areas only if to deny such
17 use would unreasonably burden First Amendment expression or no
18 other suitable facility is available. Examples of areas to which
19 this policy refers are Huntington Park, Alta Plaza, Alamo Square,
20 Lafayette Square, Holly Park and the Panhandle of Golden Gate
21 Park.

22 3. In reviewing requests for the use of facilities for
23 demonstrations or musical events or any event requiring amplified
24 sound staff shall schedule these events at facilities recognized
25 as serving a city-wide function. These facilities include, but
26 are not limited to, Union Square, Candlestick Park, Civic Center
27 Plaza, Justin Herman Plaza (Embarcadero Plaza), McLaren
28 Amphitheater, Portsmouth Square, Music Concourse, Kezar Stadium

1 and Marx Meadow in Golden Gate Park.

2 4. Staff shall not schedule an event at any facility if the
3 staff has reason to conclude that the event will attract an
4 audience which will exceed the maximum capacity of that
5 facility. The facilities listed below have the capacity
6 indicated:

7 10 Sq. Feet Per Person

8	Beach Chalet Playing Field	28,000
9	Candlestick Park Field (5 sq. ft. per person)	
10	24,800	
11	Candlestick Park Parking Lot	240,000
12	Kezar Field & Track	14,300
13	with seats	30,000
14	Lindley Meadow	23,120
15	Log Cabin Picnic Area	W 2,560
16		E 4,480
17	Marina Green	W 9,216
18		E 8,880
19	Marx Meadow	6,720
20	McLaren Amphitheater	4,320
21	Polo Field	9,360
22	Sharon Meadow	10,680
23	Speedway Meadow	28,920
24	Stern Grove Concert Area	7,460
25	with organized seating	20,000

26
27 5 Sq. Feet Per Person
28

1	Civic Center Plaza	
2	North	20,726
3	South	23,264
4	Embarcadero Plaza	13,068
5	Music Concourse (earthquake damaged)	3,000
6	Portsmouth Square with	
7	Brenham Place closed	11,508
8	Union Square	6,000
9	United Nations Plaza	3,600
10	Washington Square (10 sq.ft per person)	8,000

11
12
13 No more than two events which draw 10,000 or more people may be
14 held in the same grass area within one month. There must be at
15 least one full week between each event. Spacing of events is
16 required to allow recovery of the turf. In considering
17 applications for events in grass area which will draw 10,000 or
18 more people staff may limit sponsors to one event per month
19 provided there is a heavy demand for such permits. The foregoing
20 rule shall not be applied to Stern Grove Concert Meadow during
21 the concert season. The Polo Field and Beach Chalet playing
22 field are considered separately in section H.

23 5. Amplified sound may be permitted in Union Square,
24 Embarcadero Plaza, and Civic Center on weekdays, Monday through
25 Friday from 12 noon to 1:30 p.m. only. However, if the permittee
26 is unable to schedule the event in Union Square between 12 noon
27 and 1:30 p.m. on a weekday, amplified sound may be permitted in
28 that unit for a maximum of 2 hours in the evening hours between 5

1 p.m. and 9 p.m. Amplified sound may be permitted in Union Square
2 and Embarcadero Plaza on weekends (Saturday and Sunday) and
3 holidays from 12 noon to 2 p.m. only, except that if the
4 permittee is unable to schedule the event between 12 noon and 2
5 p.m., amplified sound may be permitted at other times, although
6 not earlier than 9 a.m. nor later than 9 p.m., provided that the
7 time for such amplified sound does not exceed 2 hours. Amplified
8 sound may be permitted in the Civic Center on weekends and
9 holidays from 9 a.m. to sunset only. If the permittee is unable
10 to schedule the event in Civic Center on weekends or holidays
11 from 9 a.m. to sunset, amplified sound may be permitted in the
12 Civic Center for a maximum of 2 hours in the evening between 5
13 p.m. and 10 p.m. Amplified sound may be permitted for a maximum
14 of 4 consecutive hours per day at Mission Dolores Park, Marina
15 Green and Washington Square on weekends and holidays from 1 p.m.
16 to sunset and on weekdays not to begin before 9 a.m. or go beyond
17 9 p.m.

18 6. Staff shall limit all permits to one day only. Special
19 permission for consecutive multiple day events may be granted by
20 the Commission who shall consider the nature of the event, the
21 proposed location, the anticipated attendance, and any other
22 facts and circumstances that relate to any potential adverse
23 impact on the park property, the neighborhood, or the public so
24 long as such impacts are unrelated to the content of the event.

25 7. The Commission finds that Union Square and the Civic
26 Center are in great demand for activities and events by many
27 different persons and organizations and that approval of
28 applications received from one person or organization for use of

1 these facilities for numerous multiple dates unfairly restricts
2 the number of persons who may use them. In considering
3 applications for permits to use these facilities, staff may
4 require the applicant to move the proposed event to another
5 location if the applicant has used the facility requested on
6 numerous occasions in the previous two months.

7 H. GOLDEN GATE PARK

8 1. The Polo Field (Golden Gate Park Stadium) shall be
9 reserved for athletic, equestrian and sports events on a priority
10 basis. Four open dates shall be designated for
11 nonathletic/nonsports events drawing at least 25,000 persons.
12 These dates shall be available to the public on the first working
13 Monday of each year. It shall be the policy of this Commission
14 that these dates be designated one each in the months of May,
15 July, September and October to allow for turf recovery and that
16 these dates must be at least 6 weeks apart.

17 The first business day of March is the cutoff date for
18 interested applicants to submit completed applications for the
19 May date at the Polo Field for a nonathletic/nonsports event
20 drawing at least 25,000 persons. The first business day of May
21 is the cutoff date for interested applicants to submit completed
22 applications for the July date at the Polo Field for a
23 nonathletic/nonsports event drawing at least 25,000 persons. The
24 first business day of July is the cutoff date for interested
25 applicants to submit completed applications for the September
26 date at the Polo Field for a nonathletic/nonsports event drawing
27 at least 25,000 persons. The first business day of August is the
28 cutoff date for interested applicants to submit completed

1 applications for the October date at the Polo Field for a
2 nonathletic/nonsports event drawing at least 25,000 persons.
3 Once all of the completed applications are received for a given
4 date they will be evaluated by the staff. A lottery system will
5 be used only if there are two or more applications for a given
6 date. In considering applications for the use of the Polo Field
7 for a nonathletic/nonsports event which will draw 25,000 or more
8 persons, staff may limit sponsors to one date provided there is
9 heavy demand for such permits.

10 2. Beach Chalet playing fields shall be reserved for
11 athletic and sports events only.

12 3. Speedway Meadow shall be reserved for use primarily as a
13 group picnic area. This area may also be used for large
14 assemblies as set forth in Section G 4.

15 4. Permits for events which require amplified sound permits
16 issued by the Police Department shall be allowed at the Music
17 Concourse and Kezar Stadium between the hours of 9:00 a.m. and
18 5:00 p.m. daily; provided, however, that a maximum of 4 hours of
19 amplified sound per day, no more than 3 days per week shall be
20 allowed at Kezar Stadium.

21 Permits for events which require amplified sound permits
22 issued by the Police Department shall also be allowed at the Polo
23 Field and Marx Meadow between the hours of 10:00 a.m. and 5:00
24 p.m. daily; provided, however, that in no case shall amplified
25 sound before, during and after a nonathletic, equestrian or
26 sports event exceed a total of 4 consecutive hours of amplified
27 sound per day and no more than 12 consecutive hours in a week in
28 the west end of Golden Gate Park.

1 Any permit which requires a sound permit issued by the
2 Police Department as part of an athletic, sports or equestrian
3 event at the Polo Field or Beach Chalet playing field shall in no
4 case allow amplified sound before, during, and after an event in
5 excess of a total of 2 hours. Nothing herein shall be construed
6 to restrict play by play amplified announcements germane to
7 broadcasting athletic, equestrian or sports events at the Polo
8 Field, Beach Chalet playing field, Bercut Field or Kezar Stadium.

9 In all events involving amplified sound the sound level
10 shall not exceed the limit permitted pursuant to applicable
11 provisions of the Police Code. In addition, staff shall not
12 allow more than one event for which an amplified sound permit is
13 required in the west end of Golden Gate Park on a given day;
14 provided further that in order to minimize the impact of noise in
15 the west end of Golden Gate Park on weekends and holidays, staff
16 shall not schedule events with amplified sound for which a sound
17 permit is required, for two consecutive days during a weekend or
18 a weekend holiday of any given week in the west end of Golden
19 Gate Park.

20 5. Except by special permission of the General Manager,
21 there shall be no sale of Street Artists' wares or arts and
22 crafts handiwork in outdoor areas of Golden Gate Park.

23 I. WEDDINGS

24 The following properties are authorized for weddings:
25 Chinese Pavilion, Rose Garden, Wilhemina Tulip Garden,
26 Shakespeare Garden, Rhododendron Dell, Metson Lake, Liberty Tree,
27 Hoover Redwood Grove, George Washington Bicentennial, Elk Glen,
28 the Conservatory, Stern Grove, Pioneer Log Cabin, Marx Meadow,

1 the lawn area and courtyard of the Legion of Honor, Chain of
2 Lakes area. Weddings in other areas shall be by special
3 permission of the General Manager only.

4 J. MECHANICAL RIDES AND AMUSEMENT DEVICES

5 Permits shall not be granted for the installation and use
6 of portable mechanical rides and amusement devices on any
7 Recreation and Park facility.

8 K. APPEAL PROCEDURE

9 1. An applicant for a permit to perform acts described in
10 Park Code Section 7.03 may appeal the denial of a permit
11 application or revocation of a permit by filing with the
12 Secretary of the Recreation and Park Commission a written request
13 for a hearing. The request for a hearing shall state succinctly
14 the grounds upon which it is asserted that the determination of
15 the General Manager should be modified or reversed.

16 2. Once an appeal has been filed, the Secretary shall place
17 the matter on the agenda of the appropriate committee of the
18 Commission for its next regularly scheduled meeting and on the
19 agenda of the Commission for its next regularly scheduled
20 meeting. However, on matters involving questions of significant
21 public interest or policy the General Manager may place the
22 matter on the agenda of the Commission for its next regularly
23 scheduled meeting for decision without placing the matter on the
24 agenda of the appropriate committee of the Commission.

25 3. The Commission shall afford the applicant an opportunity
26 for a hearing and may reverse, affirm or modify in any regard the
27 determination of the General Manager concerning the denial of a
28 permit application or revocation of a permit. When the

1 Commission affirms the denial of a permit application or
2 revocation of a permit, such a decision shall be based on one or
3 more of the reasons listed in Section 7.07 of the Park Code.

4 4. The Commission shall give the applicant written notice
5 of its decision within 3 days after the hearing, Saturdays,
6 Sundays, and legal holidays excluded. Such notice shall be
7 mailed to the applicant at the address contained in the request
8 for a hearing or, if none, in the permit application. The
9 Secretary of the Commission shall keep a copy of the notice on
10 file to be made available to the applicant upon request. When
11 the Commission affirms the denial of the permit application or
12 revocation of a permit or does not approve the permit application
13 as originally made, it shall include within the written notice to
14 the applicant the reasons for the decision and a specification of
15 findings of fact on which the decision is based.

16 5. A person whose permit application has been denied or
17 permit revoked may file in a timely manner a request for an
18 expedited appeal if the regular appeal procedure, set forth
19 above, would deprive the person of a hearing before the
20 Commission prior to the date of the proposed activity for which a
21 permit is sought and a postponement of the date of the proposed
22 activity would prejudice the applicant.

23 6. The Commission shall afford an expedited appeal by
24 providing a hearing and a written notice of its decision within
25 72 hours of the time that the written request for a hearing is
26 filed with the Secretary of the Commission. The written notice
27 shall be filed with the Secretary of the Commission who shall
28 give it to the applicant upon request. If the expiration of the

1 72-hour period does not fall during regular business hours of the
2 Recreation and Park Department, the Commission shall, at the time
3 of the hearing, arrange with the applicant a procedure for making
4 the decision available within 72 hours.

5 7. If a quorum of the Commission cannot be convened within
6 the 72-hour period in order to provide an expedited appeal, the
7 hearing and written notice of decision shall be provided by the
8 General Manager. This duty shall be performed by the General
9 Manager or, in the absence of the General Manager, by the Acting
10 General Manager, and shall not be delegated.

11 8. The determinations as to whether the request for an
12 expedited appeal has been filed in a timely manner and whether
13 postponement of the date of the proposed activity would prejudice
14 the applicant shall be made by the General Manager and the
15 decision of the General Manager on these issues shall be final.
16 The General Manager shall not deny an applicant an expedited
17 appeal without affording the applicant an opportunity to be heard
18 on the issues described. This duty shall be performed by the
19 General Manager or, in the absence of the General Manager, by the
20 Acting General Manager, and shall not be delegated.

21 9. All the procedures established for a regular appeal,
22 other than those pertaining to time, are the same as to an
23 expedited appeal, unless otherwise noted.

24 II. MISCELLANEOUS PERMIT APPLICATION PROCEDURES

25 1. Launching Boats or Other Water Craft

26 The Business Division shall be responsible for concession
27 agreements whereby a person or entity provides water craft for
28 use by the public for a fee.

1 Application for a permit to launch water craft other than
2 through concession agreements shall be made to the Superintendent
3 of Parks.

4 2. Sign Posting

5 Whenever approval is sought to post a sign in any park,
6 such approval shall be sought from the division noted below:

7 Signs posted giving directions to an event for which
8 permit has been issued, from the Division which issued the permit.

9 Signs posted by persons or organizations maintaining and
10 operating recreational facilities on park property on a daily
11 basis, from the Superintendent of Parks.

12 3. Athletic Instruction for Compensation

13 Application for permission to provide athletic instruction
14 for compensation shall be made to the Business Division.

15 4. Launching Airplanes, Helicopters, Hot Air Balloons or
16 Other Apparatus of Aviation

17 Application for such permits shall be made to the Permits
18 and Reservation Section.

19 5. Peddling Goods, Wares or Merchandise

20 Application for such permits shall be made to the Permits
21 and Reservation Section if the sale is to take place only one
22 day, and otherwise to the Business Division.

23 6. Camping

24 Application for permits to construct or maintain camping or
25 housing accommodations shall be made to the Permits and
26 Reservation Section.

27 7. Sleeping Overnight

28 Application for permits to sleep between 10:00 p.m. and

1 6:00 a.m. in order to provide security services shall be made to
2 the Permits and Reservation Section.

3 ////

4 8. Performance of Labor, Deposit of Building Material

5 Application for permission to remove any tree, wood, bush,
6 turf, shrub, flower, plant, grass, soil, rock or similar thing
7 shall be made to the Superintendent of Parks.

8 9. Alcoholic Beverages

9 Application for permission to consume alcoholic beverages
10 shall be made, as to playgrounds, to the Community Services
11 Section, and, as to all other locations, to the Permits and
12 Reservation Section.

13 10. Soliciting Passengers for Vehicles for Hire

14 Application for permission to establish or maintain any
15 stand or other equipment for procuring customers for any vehicle
16 let or used for hire shall be made to the Business Division.

17 11. Commercial Photography, Filming, Recording

18 Application for permission to engage in commercial
19 photography, filming or recording shall be made to the Film
20 Permit Coordinator.

21 III. GENERAL APPEAL PROCEDURES FOR DENIAL OF PERMIT APPLICATIONS

22 Denial by staff of an application for a permit to engage in
23 an activity described in this resolution, other than activities
24 described in Park Code Section 7.03, may be appealed to the
25 Recreation and Park Commission in the same manner as a regular or
26 expedited appeal as set forth in Section I. K. In addition,
27 denial by staff of an application for permission to use a
28 building on park property may be appealed to the Commission, in

1 the same manner as a regular or expedited appeal as set forth in
2 Section I. K.

3 IV. REGULATIONS GOVERNING DISTRIBUTION OR SALE OF FOOD TO
4 THE GENERAL PUBLIC ON PARK PROPERTY

5 Park Code Section 7.03(k) requires a permit to provide food
6 to persons on park property. Pursuant to Charter Section 3.552
7 and Park Code Sections 3.01 and 7.706, the Commission hereby
8 establishes the following regulations for the use of park
9 property for the distribution or sale of food.

10 1. Except as provided in Section IV 2., no person shall,
11 without a permit from the General Manager or the Commission as
12 set forth below, distribute, provide or sell food to the general
13 public, including but not limited to the homeless, on park
14 property.

15 (a) The General Manager may approve a permit
16 application for the distribution, provision or sale of food to
17 the general public when the proposed activity takes place in an
18 indoor facility appropriate for such use or is in connection with
19 a recreational activity on park property.

20 (b) Applications for the distribution, provision or
21 sale of food not subject to subsection (a) above shall be
22 referred to the Commission for action.

23 2. Exceptions. A permit to sell or provide food to
24 persons on park property is not required when a person
25 participating in a picnic or social gathering of 25 or fewer
26 persons provides food to others who are also participating in
27 that picnic or social gathering. This exception shall not be
28 construed to allow any person to use park property, without a

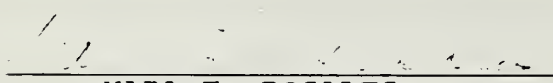
1 permit, as a mobile or stationary kitchen, eating establishment,
2 restaurán't or similar purpose to provide or sell food to the
3 general public, including but not limited to the homeless.

4 V. STAFF REVIEW OF REGULATIONS

5 The Commission directs the General Manager and staff to
6 continue to evaluate the viability of these regulations and to
7 ascertain whether this scheme strikes the proper balance between
8 the recreational, constitutional and property interests of San
9 Franciscans heretofore mentioned and the Commission's substantial
10 interest in preserving park property, limiting excessive noise
11 and congestion and other police problems that may result from
12 activities on park property. The General Manager shall report to
13 this Commission its findings as to this issue no later than the
14 eighth Commission meeting of each calendar year.

15 APPROVED AS TO FORM:

16 LOUISE H. RENNE, City Attorney

17
18 
19 MARA E. ROSALES
20 Deputy City Attorney

21
22
23
24
25 8/15/91

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SUPERSEDES RESOLUTION NO. 16197 (AUGUST 15, 1991), RESOLUTION NO. 13094; RESOLUTION NO. 10575 - (DECEMBER 9, 1976), RESOLUTION NO. 11630 (APRIL 19, 1979), RESOLUTION NO. 12629 (OCTOBER 7, 1981), RESOLUTION NO. 12409 (MARCH 12, 1981), RESOLUTION NO. 14375 (MAY 15, 1986), RESOLUTION 14993 (MARCH 17, 1988), RESOLUTION NO. 15256 (JANUARY 19, 1989), RESOLUTION NO. 15431 (JULY 20, 1989); RESOLUTION NO. 15585 (JANUARY 18, 1990) and RESOLUTION NO. 15840 (OCTOBER 18, 1990); RESOLUTION NO. 15902 (JANUARY 17, 1991).

WHEREAS, Section 7.05 of the Park Code requires this Commission to adopt procedures for the filing and processing of applications for permits to engage in the activities set forth in Section 7.03; and

WHEREAS, Section 7.20 of the Park Code requires this Commission to adopt procedures for the appeal of the denial of an application for a permit to engage in the activities set forth in Section 7.03; and

WHEREAS, various provisions of the Park Code other than Section 7.03 require a permit to engage in certain activities without specifying the division responsible for issuing the permit or the appropriate appeal procedure; and

WHEREAS, the Commission recognizes that the right of citizens to hold assemblies is a treasured right in our society; and

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WHEREAS, the Commission acknowledges that the use of park property for public assemblies is a privilege to be exercised by those who accept the attendant duty of protecting and preserving park property against damage and who agree to comply with all relevant laws; and

WHEREAS, the Commission finds that events involving 10,000 or more persons that are anticipated to extend more than one day pose police problems if such events are substantially likely to attract persons who will refuse to leave the park during the night, in violation of Park Code Section 3.13 (sleeping prohibited in the park at night) or who may use campers and other vehicles at night, in violation of Police Code Section 97 (use of vehicles for habitation at night in parks and on streets and public ways prohibited); and

WHEREAS, the Commission also finds that events held in grass areas involving 10,000 or more persons that extend more than one day are substantially likely to result in significant damage to the turf; and

WHEREAS, the Commission finds that Golden Gate Park was created to offer an alternative to the urban setting so that citizens would have available to them a serene, natural environment for their aesthetic, athletic and recreational enjoyment; and

WHEREAS, Golden Gate Park lands were constructed on shifting sand dunes and in most areas of Golden Gate Park there is only a two inch layer of top soil and an unrestricted use of Golden Gate Park meadows by large crowds is substantially likely to cause damage to the fragile crust of soil and surrounding vegetation; and

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WHEREAS, the Commission remains concerned that allowing an unrestricted number of events involving crowds of 25,000 or more in the Polo Field will result in a cumulative, long-term adverse impact upon the fragile soil and vegetation at the west end of Golden Gate Park; and

WHEREAS, the Commission reaffirms its objectives and policies for Golden Gate Park as set forth in its plan for Golden Gate Park, adopted pursuant to Resolution No. 11678 and amended pursuant to Resolution No. 14048, wherein, among other things the Commission states its policy that large gatherings may well be accommodated in San Francisco parks other than Golden Gate Park so as to balance the city-wide recreational program and alleviate wear and tear on Golden Gate Park; and

WHEREAS, the Commission also states in the Golden Gate Park Plan that permittees proposing an event which will draw at least 5,000 persons within Golden Gate Park should be requested to prepare a transportation analysis detailing possible transportation impacts to Golden Gate Park. Where appropriate permittees proposing large events should provide a transportation management system that will prevent additional automobile congestion, user conflicts and all-day parking by non-recreational users within the park system; and

WHEREAS, the Commission finds that the unrestricted and unregulated duration of amplified sound in Golden Gate Park has an adverse impact upon the surrounding neighbors' quiet enjoyment of their property and unreasonably interferes with their right of privacy; now, therefore, be it

RESOLVED, that this Commission does hereby adopt the policies and procedures stated herein for the issuance of permits for the use of park property; and be it

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FURTHER RESOLVED, that the staff shall decide which park facility within the jurisdiction of this Commission is the most suitable facility to accommodate the interests of the permittee; provided however, that staff shall in all cases consider the nature of the event, anticipated impact on the neighborhood, anticipated attendance, the policies and guidelines set forth in this resolution, the expertise and experience of the permittee in organizing the type of event proposed, and any other facts and circumstances that relate to any potential adverse impact on the park property, the neighborhood or the public so long as such impacts are unrelated to the content of the event.

I. PARK CODE SECTION 7.03 PERMIT APPLICATIONS

A. APPLICATION PROCEDURE

1. Except for permits for large events described below, and permits for the sale of food or distribution of free food a written application for a permit to perform an activity listed in Section 7.03 shall be made to the Recreation and Park Department at least 15 days in advance, excluding Saturdays, Sundays and legal holidays, so that staff will have adequate time to process requests properly, meet with parties of interest, and coordinate with other affected public agencies as needed. A written application for a permit to perform an activity listed in Section 7.03 which is a large event with an expected attendance of at least 5,000 or for the sale or distribution of food shall be made to the Recreation and Park Department at least 30 days in advance, excluding Saturdays, Sundays and legal holidays, so that staff will have adequate time to schedule meetings with the permittee and other affected

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public agencies. Applications for events with an expected attendance of at least 5,000 shall include all of the following information:

(a) The name, address and telephone number of the applicant;

(b) The name(s) of all sponsoring, participating and/or performing groups;

(c) A description of the activity for which a permit is sought;

(d) The date, starting time, place and the estimated length of time of the event;

(e) The number of persons that are expected to be involved and the reasons for anticipating such a number;

(f) At least two preferred or desired locations;

(g) A transportation management plan detailing methodologies and measures for minimizing and promoting transit use, as well as other plans or proposals, detailing methodologies for minimizing litter, congestion and noise at the preferred or desired location and the surrounding areas that would be affected by the proposed event;

(h) Where the applicant is an individual, the signature of the applicant, and where the applicant is a person other than an individual, the signature, name, address, and telephone number of the individual executing the application on behalf of the applicant.

Applications for events with an expected attendance of less than 5,000 persons or for the sale or distribution of food to less than 5,000 persons shall include all of the following information set forth in subsections 1 (a) through (f) and (h).

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2. The various time requirements for advance application may be waived by the General Manager, upon request in writing by the applicant, if the General Manager determines that the event or events giving rise to the permit application do not reasonably allow a person time to file a permit application within the required time or if an unusual event or combination of events renders such requirement an unreasonable restriction on the right of free speech. Staff cannot approve a permit application filed more than 365 days in advance of the proposed event. Applicants seeking to reserve park property more than one year in advance of their event must seek approval from the Recreation and Park Commission.

3. Spontaneous daily gatherings of individuals dedicated to the practice of various forms of martial arts or Tai Chi exercise may freely assemble without prior application for a permit on certain park properties which shall be designated by the General Manager. The General Manager shall maintain the list of the designated park properties and shall make the list available to the public and the Police Department. The General Manager shall inform persons wishing to use designated park properties for the practice of martial arts or Tai Chi exercise that the designated properties are available only when they are not in use pursuant to an approved permit. The General Manager may add or delete designated park properties from the list as is deemed appropriate. Any changes to the list shall be reported to the Commission in the General Manager's report at the Commission meeting immediately following the General Manager's decision to add or delete a designated site. Nothing in this subsection shall be construed to affect the

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requirements of Park Code Section 7.03 subsections (e) (pre-event publicity) and (m) amplified sound) or Section 3.08 (compensation for instruction).

B. PROCESSING PROCEDURE FOR PARK CODE

SECTION 7.03 ACTIVITIES

1. Except for applications for the use of the Polo Field for one of the four nonathletic events, fully completed permit applications for the same desired location shall be processed in order of receipt. Revision of an application shall not cause an application to lose priority as to the location desired, unless the revision includes the request for a new location.

2. Fully completed permit applications for activities listed in Park Code Section 7.03 received less than 30 days prior to the date of the proposed event shall be processed within 10 days, excluding Saturdays, Sundays and legal holidays. An application shall be deemed processed within 10 days if the approval or denial is mailed to the address contained in the permit application within 10 days after the day it is received or is communicated orally within 10 days after the day it is received, excluding Saturdays, Sundays, and legal holidays. A copy of any written approval or denial of an application shall be kept by the Recreation and Park Department and shall be made available to the applicant upon request.

3. Fully completed permit applications for activities listed in Section 7.03 received 30 days or more before the date of the proposed activity shall be processed as time allows but in no event shall notice of approval or denial be mailed or communicated less than 24 calendar days prior to the date of the proposed activity.

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4. Permit applications received in less than the required 15 and 30 day time limits shall be processed within a reasonable time, provided that the General Manager has waived the advance application requirement as set forth in Section I A above. At the time that the applicant is notified of such waiver, the General Manager shall inform the applicant when his or her application is expected to be acted upon.

5. An incomplete permit application shall be returned to the applicant with an explanation as to why it is incomplete whenever the Recreation and Park Department has sufficient information to enable it to return the application.

6. Notice of the denial of a permit application shall be accompanied by a statement of the grounds upon which the application was denied.

7. If a permit application is revised, the time within which the application must be processed shall be computed from the date of the revision.

C. GENERAL

1. Permit applicants shall be advised by staff that any publicity issued by the applicant before a permit has issued is done at the applicant's own risk.

2. In order to insure that public enjoyment of park properties and the public comfort, convenience, safety and welfare are not disturbed and that public or private property is not damaged, staff may impose reasonable conditions on approval of permit applications, including but not limited to, the conditions that the applicant provide debris boxes, chemical toilet units, protective coverings, monitors,

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transportation management measures, and security personnel, (after staff consultation with the Police Department) and that the applicant ensure that any stage, booth, platform, tent or other erected structure complies with applicable local laws.

3. Staff shall inform applicants of restrictions contained in City ordinances regulating the use of amplified sound, of the issuance of sound amplification permits by the Police Department, and of the fact that sound amplification ordinances are enforced by the Police Department.

4. Prior to issuing a permit, staff shall consult the Police Department, Municipal Railway, Fire Department, Health Department, Emergency Ambulance Service, Department of Public Works or other relevant agency if any aspect of a permit request requires action or permission from the agency. Staff may also consult the advice of experts in the community in evaluating which park facility is the most appropriate to accommodate the proposed event. On any request for a permit for an event which will draw over 5,000 persons, staff shall require the applicant to recycle any newspaper, glass or aluminum items generated by the event. The term "recycle" shall mean and include packaging newspaper, glass and aluminum items separately and making arrangements to have these items delivered to neighborhood recycling centers in the City. In consultation with staff permittees may make other arrangements for the disposal of recyclable items.

5. Staff may issue one day permits for the sale of food products with approval of the General Manager and the Health Department. All food permits must be filed 30 days in

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advance of the event. Staff shall have permission to authorize the serving or selling of alcoholic beverages for one day permits with approval of the General Manager so long as the applicant has obtained the necessary approval from the Alcoholic Beverages Commission (ABC).

6. Permittee must secure proper Health Department Notice to Operate and if alcohol is involved a permit from ABC. The Recreation and Park Department letter of permit and the Health Department Notice to Operate must be visibly displayed on each booth or location.

7. Prior to issuing a permit, staff shall arrange a meeting of all public agencies involved in an event with the sponsors of the event if staff concludes the the anticipated attendance is in excess of 5,000, or if some aspect of the event would require special services or permission from the affected public agencies which could not be arranged through normal permit procedures or by consultation with the agencies by telephone.

8. The sale and use of mylar balloons on all park facilities is prohibited.

9. All other balloons are permitted on park property, but the applicant must remove them following the event. The release of balloons on park property is prohibited.

10. Staff shall advise applicants of the Board of Supervisors' policy against the use of food packaging items which contain chlorofluorocarbons, commonly referred to as styrofoam. Staff shall advise applicants that the use of styrofoam products (defined in San Francisco Health Code Sections 469.1 (a) (b) (d) (e)) on all park facilities is prohibited.

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11. The General Manager may enter into an agreement with a nonprofit organization seeking to use park property to waive the applicable use fees in exchange for receiving services that may be provided to the City, provided that the value of the fees waived does not exceed the value of the services rendered.

12. Staff shall process all permits without discrimination with regard to race, color, religion, ancestry, national origin, age, sex, political affiliation, sexual orientation, disability or on any other grounds prohibited by law, of those individuals or groups requesting such permits.

13. Any permittee requesting to erect a stage, booth, platform, tent or other structure must submit an anchoring plan for such structure(s) at the time the permit is requested. The anchoring plan must detail the method to be used to secure such structure(s) in place in a safe and stable condition. No park benches, light standards, trash receptacles, buildings, trees, shrubs and the like may be used for the purpose of securing any structure(s) unless prior approval is received from the General Manager. Staff shall review the anchoring plan prior to the approval of the requested permit.

14. Material misrepresentations of fact in an application, in circumstances where the applicant reasonably knew or should have known the application did not contain the true facts, may be considered by the General Manager in determining whether the permit application should be denied or revoked because of the applicant's inability to be responsible for the use of park facilities in compliance with the Park Code and all applicable laws, rules and regulations.

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If staff has reason to believe that advertising or publicity for an event for which an application is on file or permit has been issued describes or refers to the event in a manner which indicates that the event is different from that described in the letter of intent or application, staff may request the applicant or permittee to submit such advertising or publicity material. Staff shall examine the same for the purpose of determining whether there is reason to conclude that the application inaccurately or incompletely describes the planned event. If it so determines, in cases where the permit has not been granted, staff shall immediately notify applicant of the same and schedule a hearing before the General Manager to determine whether the applicant must modify its application.

In cases where the application has been granted, staff shall schedule a hearing before the General Manager for the purpose of revoking the issuance of the permit in light of the changed circumstances.

D. PERFORMANCE BONDS

1. Staff shall require performance bonds pursuant to the following schedule in order to insure that property is restored and cleaned at the conclusion of the permitted activity:

<u>ATTENDANCE</u>		<u>AMOUNT OF BOND</u>
100 -	150	\$ 150
151 -	299	200
300 -	450	250
451 -	700	350
701 -	1,000	450
1,001 -	1,500	750

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<u>ATTENDANCE</u>	<u>AMOUNT OF BOND</u>
1,501 - 3,000	1,000
3,001 - 6,000	1,500
6,001 - 9,000	2,000
9,001 - 15,000	3,000
15,001 - 25,000	3,500
25,001 - 45,000	4,000
45,001 - 75,000	6,000
75,001 - Plus	\$ 10,000

2. Staff may require an applicant to pay a performance bond for events which are expected to draw an attendance of under 100 persons, so long as the amount of the performance bond is reasonably related to the anticipated costs of restoring or cleaning the property used in connection with the event.

3. The performance bond shall be in the form of a cashiers check payable to the San Francisco Recreation and Park Department. The performance bond shall be returned after the event as soon as it is determined that every area of the park used in connection with the event has been cleaned and restored to the same or equivalent condition that existed immediately prior to the time permission to use the facility was granted. In no case shall the performance bond be returned unless the property is returned to its original condition or the permittee has paid the cost of cleaning and restoring the park property used in connection with the event.

4. When an applicant for a permit to perform an activity which is protected by the First Amendment to the U.S. Constitution and for which a performance bond must be posted

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produces evidence that providing a cash performance bond would be impossible or so financially burdensome that it would preclude the applicant from using park property for the proposed activity, staff shall accept property in lieu of a cash performance bond so long as the property offered is of a type which will reasonably insure restoration and cleaning of the property to be used. If the applicant is unable to provide any such property in lieu of a bond or produces evidence that he or she is indigent, the General Manager may accept in its place written assurances that all necessary appropriate measures will be undertaken by applicant to protect park property against damage if the General Manager determines that the measures proposed by the applicant will be performed and will adequately protect the property.

5. If an applicant has used park property in the past pursuant to a permit and has caused damage or injury to property or failed to restore or clean the property at the conclusion of the permitted activity, staff may require the applicant to post a performance bond in an amount greater than that normally required, so long as the increased amount is reasonably related to the anticipated costs of restoring or cleaning the property. However, if an applicant who has damaged property or failed to restore or clean the property in the past has, since that occurrence, used park property pursuant to a permit and has left the property in good condition, the amounts normally required of applicants shall apply.

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6. Staff may also require an applicant to post a performance bond in an amount greater than that normally required, so long as the increased amount is reasonably related to the anticipated costs of restoring and cleaning the property used in connection with the event.

7. Beyond the direct costs associated with restoring and cleaning park property following the event, the applicant recognizes and agrees that some violations of Park rules and regulations result in damages which are extremely difficult to estimate. Such damages include (but are not limited to), for example, the public's lost use of the park or lost enjoyment of the flora, fauna or vegetation while the park is being cleaned or restored; increased administrative costs resulting from patrolling the park and admonishing parties violating park rules, general impairment of the park environment and public recreational resource, and the loss of future concession revenues from individuals who are discouraged from using the park as a result of the applicant's violations of park rules. Accordingly, in the event applicant fails to substantially comply with any of the Park's rules, regulations, or other permit conditions (in the opinion of the General Manager or designee), applicant shall be liable for liquidated damages in the amount of \$250 or (25%) of the total performance bond (i.e., cashier's check), whichever is greater. This liability is in addition to any direct costs associated with cleaning and restoring the park, for which the applicant is also liable. Any assessed damages which cannot be recovered from the performance bond (i.e., cashier's check) shall be payable to

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the Recreation and Park Department upon demand. Applicant has the right to appeal the assessment of liquidated damages to the Recreation and Park Commission.

8. General Manager may waive or decrease the performance bond normally required if the applicant has a history of using park property pursuant to a permit and has consistently left the property used in good condition and no circumstances exist which indicate that the applicant might fail to restore the property after the proposed event.

9. When the applicant fails to follow Park rules and regulations, or any other conditions placed on a permit to use the Park, which staff reasonably believes risks serious damage to park property or substantially interferes with the use and enjoyment of the area or facility by other persons, staff may issue a warning that any further violations of any rules, regulations or conditions may result in an order to leave the park. Following the event, the General Manager (or designee) may issue an order denying the group or organization a permit to use the park for a period not to exceed one year. However, groups or organizations which only sponsor an annual event will be denied a permit through the following calendar year. In determining the length of time a group or organization will be excluded from the park, staff will consider only the nature, extent and the duration of the particular violation(s).

E. INSURANCE REQUIREMENTS

Insurance coverage of the type and amount described below shall be required for the following events where the sponsor is other than a governmental entity:

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1. Any event involving groups of 1,000 or more persons;
2. Any event scheduled at night which takes place in whole or part outdoors unless (a) the number involved is so small given the type of activity involved and the location of the event that staff is able to determine that the risk of harm to persons or property is minimal or (b) the applicant or sponsor agrees to provide lighting of sufficient strength that staff is able to determine that the risk of harm to persons or property is minimal.
3. Any event involving animals;
4. Any event which involves large displays, machinery, or any large physical object which could come into physical contact with persons or property and cause injury;
5. Any race or marathon for which a permit is required pursuant to Article 7 of the Park Code;
6. Any festival except that festivals not providing food for sale or not having games which involve an element of risk do not require insurance.

The insurance requirements are as follows: Liability insurance covering all operations, including but not limited to the demised premises, personal injuries and injury to property for single limits of not less than \$1,000,000 applying to bodily injuries (including death at any time resulting therefrom), and property damage or a combination of said injuries.

In addition, any event at which food is sold or given to persons other than those in one's own organized group must be covered by the following insurance: Food Products Liability of

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\$1,000,000 when sale of food is contemplated as part of a requested permit. Conditions of sale as negotiated by the Business Office shall be subject to Commission approval.

The normal insurance coverage requirements shall not apply to applicants who propose to engage in an activity protected by the First Amendment of the U.S. Constitution when the applicant produces evidence that complying with those provisions is impossible or so financially burdensome that it would preclude the applicant from using park property for the proposed activity. However, in no event shall the requirement for food products liability coverage be waived when food is involved.

F. HOLD HARMLESS AGREEMENT

An applicant for any permit to engage in an activity for which a performance bond or insurance coverage is normally required shall also be required to sign an agreement to reimburse the Recreation and Park Department for any costs incurred by it in restoring damage to property caused by the action of the permittee, its officers, employees, or agents, or any person who was, or reasonably should have been, under the permittee's control, and to defend the City against, and indemnify and hold the City harmless from any liability to any person resulting from any damage or injury caused by the actions of the permittee, its officers, employees or agents, or any person who was or reasonably should have been, under the permittee's control whenever the performance bond or insurance coverage is waived.

G. FACILITIES

1. Those Recreation and Park facilities serving a specific function, such as baseball diamonds, tennis courts, swimming pools and areas used primarily as children's play areas and neighborhood playgrounds, will not be the site of any event that would conflict with what is intended as the primary function of that Recreation and Park facility.

2. Those facilities which primarily function as recreational areas for the persons residing or working in the areas adjacent to them shall be used primarily for events and activities designed for recreation, enjoyment or use of such persons. Events which will draw persons from throughout the City or beyond may be permitted in these areas only if to deny such use would unreasonably burden First Amendment expression or no other suitable facility is available. Examples of areas to which this policy refers are Huntington Park, Alta Plaza, Alamo Square, Lafayette Square, Holly Park and the Panhandle of Golden Gate Park.

3. In reviewing requests for the use of facilities for demonstrations or musical events or any event requiring amplified sound staff shall schedule these events at facilities recognized as serving a city-wide function. These facilities include, but are not limited to, Union Square, Candlestick Park, Civic Center Plaza, Justin Herman Plaza (Embarcadero Plaza), McLaren Amphitheater, Portsmouth Square, Music Concourse, Kezar Stadium and Marx Meadow in Golden Gate Park.

4. Staff shall not schedule an event at any facility if the staff has reason to conclude that the event will attract an audience which will exceed the maximum capacity of that

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facility. The facilities listed below have the capacity indicated:

10 Sq. Feet Per Person

Beach Chalet Playing Field		28,000
Candlestick Park Field (5 sq. ft. per person)		24,800
Candlestick Park Parking Lot		240,000
Lindley Meadow		23,000
Log Cabin Picnic Area	W	2,500
	E	4,400
Marina Green	W	8,300
	E	31,300
Marx Meadow		6,700
McLaren Amphitheater		4,300
Sharon Meadow		10,600
Speedway Meadow		29,000
Stern Grove Concert Area		7,500
with organized seating		20,000

5 Sq. Feet Per Person

Civic Center Plaza		
	North	20,700
	South	23,330
Embarcadero Plaza		13,000
Japanese Peace Plaza		1,780
Music Concourse (earthquake damaged)		3,000
Polo Field		100,000
Portsmouth Square with Brenham Place closed		11,500
Union Square		6,000
United Nations Plaza		3,600
Washington Square (10 sq.ft per person)		8,000

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No more than two events which draw 10,000 or more people may be held in the same grass area within one month. There must be at least one full week between each event. Spacing of events is required to allow recovery of the turf. In considering applications for events in grass area which will draw 10,000 or more people staff may limit sponsors to one event per month provided there is a heavy demand for such permits. The foregoing rule shall not be applied to Stern Grove Concert Meadow during the concert season. The Polo Field and Beach Chalet playing field are considered separately in section H.

5. Amplified sound may be permitted in Union Square, Embarcadero Plaza, and Civic Center on weekdays, Monday through Friday from 12 noon to 1:30 p.m. only. However, if the permittee is unable to schedule the event in Union Square between 12 noon and 1:30 p.m. on a weekday, amplified sound may be permitted in that unit for a maximum of 2 hours in the evening hours between 5 p.m. and 9 p.m. Amplified sound may be permitted in Union Square and Embarcadero Plaza on weekends (Saturday and Sunday) and holidays from 12 noon to 2 p.m. only, except that if the permittee is unable to schedule the event between 12 noon and 2 p.m., amplified sound may be permitted at other times, although not earlier than 9 a.m. nor later than 9 p.m., provided that the time for such amplified sound does not exceed 2 hours. Amplified sound may be permitted in the Civic Center on weekends and holidays from 9 a.m. to sunset only. If the permittee is unable to schedule the event in Civic Center on weekends or holidays from 9 a.m. to sunset, amplified sound may be permitted in the Civic Center for a maximum of 2 hours

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in the evening between 5 p.m. and 10 p.m. Amplified sound may be permitted for a maximum of 4 consecutive hours per day at Mission Dolores Park, Marina Green and Washington Square on weekends and holidays from 1 p.m. to sunset and on weekdays not to begin before 9 a.m. or go beyond 9 p.m.

6. Staff shall limit all permits to one day only. Special permission for consecutive multiple day events may be granted by the Commission who shall consider the nature of the event, the proposed location, the anticipated attendance, and any other facts and circumstances that relate to any potential adverse impact on the park property, the neighborhood, or the public so long as such impacts are unrelated to the content of the event.

7. The Commission finds that Union Square and the Civic Center are in great demand for activities and events by many different persons and organizations and that approval of applications received from one person or organization for use of these facilities for numerous multiple dates unfairly restricts the number of persons who may use them. In considering applications for permits to use these facilities, staff may require the applicant to move the proposed event to another location if the applicant has used the facility requested on numerous occasions in the previous two months.

H. GOLDEN GATE PARK

1. The Polo Field (Golden Gate Park Stadium) shall be reserved for athletic, equestrian and sports events on a priority basis. Four open dates shall be designated for nonathletic/nonsports events drawing at least 25,000 persons.

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These dates shall be available to the public on the first working Monday of each year. It shall be the policy of this Commission that these dates be designated one each in the months of May, July, September and October to allow for turf recovery and that these dates must be at least 6 weeks apart.

The first business day of March is the cutoff date for interested applicants to submit completed applications for the May date at the Polo Field for a nonathletic/nonsports event drawing at least 25,000 persons. The first business day of May is the cutoff date for interested applicants to submit completed applications for the July date at the Polo Field for a nonathletic/nonsports event drawing at least 25,000 persons. The first business day of July is the cutoff date for interested applicants to submit completed applications for the September date at the Polo Field for a nonathletic/nonsports event drawing at least 25,000 persons. The first business day of August is the cutoff date for interested applicants to submit completed applications for the October date at the Polo Field for a nonathletic/nonsports event drawing at least 25,000 persons. Once all of the completed applications are received for a given date they will be evaluated by the staff. A lottery system will be used only if there are two or more applications for a given date. In considering applications for the use of the Polo Field for a nonathletic/nonsports event which will draw 25,000 or more persons, staff may limit sponsors to one date provided there is a heavy demand for such permits.

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2. Beach Chalet playing fields shall be reserved for athletic and sports events only.

3. Speedway Meadow shall be reserved for use primarily as a group picnic area. This area may also be used for large assemblies as set forth in Section G 4.

4. Permits for events which require amplified sound permits issued by the Police Department shall be allowed at the Music Concourse and Kezar Stadium between the hours of 9:00 a.m. and 5:00 p.m. daily; provided, however, that a maximum of 4 hours of amplified sound per day, no more than 3 days per week shall be allowed at Kezar Stadium.

Permits for events which require amplified sound permits issued by the Police Department shall also be allowed at the Polo Field and Marx Meadow between the hours of 10:00 a.m. and 5:00 p.m. daily; provided, however, that in no case shall amplified sound before, during and after a nonathletic, equestrian or sports event exceed a total of 4 consecutive hours of amplified sound per day and no more than 12 consecutive hours in a week in the west end of Golden Gate Park.

Any permit which requires a sound permit issued by the Police Department as part of an athletic, sports or equestrian event at the Polo Field or Beach Chalet playing field shall in no case allow amplified sound before, during, and after an event in excess of a total of 2 hours. Nothing herein shall be construed to restrict play by play amplified announcements germane to broadcasting athletic, equestrian or sports events at the Polo Field, Beach Chalet playing field, Bercut Field or Kezar Stadium.

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In all events involving amplified sound the sound level shall not exceed the limit permitted pursuant to applicable provisions of the Police Code. In addition, staff shall not allow more than one event for which an amplified sound permit is required in the west end of Golden Gate Park on a given day; provided further that in order to minimize the impact of noise in the west end of Golden Gate Park on weekends and holidays, staff shall not schedule events with amplified sound for which a sound permit is required, for two consecutive days during a weekend or a weekend holiday of any given week in the west end of Golden Gate Park.

5. Except by special permission of the General Manager, there shall be no sale of Street Artists' wares or arts and crafts handiwork in outdoor areas of Golden Gate Park.

I. WEDDINGS

The following properties are authorized for weddings: Chinese Pavilion, Rose Garden, Wilhemina Tulip Garden, Shakespeare Garden, Rhododendron Dell, Metson Lake, Liberty Tree, Hoover Redwood Grove, George Washington Bicentennial, Elk Glen, the Conservatory, Stern Grove, Pioneer Log Cabin, Marx Meadow, the lawn area and courtyard of the Legion of Honor, Chain of Lakes area. Weddings in other areas shall be by special permission of the General Manager only.

J. MECHANICAL RIDES AND AMUSEMENT DEVICES

Permits shall not be granted for the installation and use of portable mechanical rides and amusement devices on any Recreation and Park facility.

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K. APPEAL PROCEDURE

1. An applicant for a permit to perform acts described in Park Code Section 7.03 may appeal the denial of a permit application or revocation of a permit, or subsequent assessment of liquidated damages, by filing with the Secretary of the Recreation and Park Commission a written request for a hearing. The request for a hearing shall state succinctly the grounds upon which it is asserted that the determination of the General Manager should be modified or reversed.

2. Once an appeal has been filed, the Secretary shall place the matter on the agenda of the appropriate committee of the Commission for its next regularly scheduled meeting and on the agenda of the Commission for its next regularly scheduled meeting. However, on matters involving questions of significant public interest or policy the General Manager may place the matter on the agenda of the Commission for its next regularly scheduled meeting for decision without placing the matter on the agenda of the appropriate committee of the Commission.

3. The Commission shall afford the applicant an opportunity for a hearing and may reverse, affirm or modify in any regard the determination of the General Manager. When the Commission affirms the denial of a permit application or revocation of a permit, such a decision shall be based on one or more of the reasons listed in Section 7.07 of the Park Code.

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4. The Commission shall give the applicant written notice of its decision within 3 days after the hearing, Saturdays, Sundays, and legal holidays excluded. Such notice shall be mailed to the applicant at the address contained in the request for a hearing or, if none, in the permit application. The Secretary of the Commission shall keep a copy of the notice on file to be made available to the applicant upon request. When the Commission issues a ruling adverse to the applicant, the Commission shall include within the written notice to the applicant the reasons for the decision and a specification of the findings of fact on which the decision is based.

5. A person whose permit application has been denied or permit revoked may file in a timely manner a request for an expedited appeal if the regular appeal procedure, set forth above, would deprive the person of a hearing before the Commission prior to the date of the proposed activity for which a permit is sought and a postponement of the date of the proposed activity would prejudice the applicant.

6. The Commission shall afford an expedited appeal by providing a hearing and a written notice of its decision within 72 hours of the time that the written request for a hearing is filed with the Secretary of the Commission. The written notice shall be filed with the Secretary of the Commission who shall give it to the applicant upon request. If the expiration of the 72-hour period does not fall during regular business hours of the Recreation and Park Department, the Commission shall, at the time of the hearing, arrange with the applicant a procedure for making the decision available within 72 hours.

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7. If a quorum of the Commission cannot be convened within the 72-hour period in order to provide an expedited appeal, the hearing and written notice of decision shall be provided by the General Manager. This duty shall be performed by the General Manager or, in the absence of the General Manager, by the Acting General Manager, and shall not be delegated.

8. The determinations as to whether the request for an expedited appeal has been filed in a timely manner and whether postponement of the date of the proposed activity would prejudice the applicant shall be made by the General Manager and the decision of the General Manager on these issues shall be final. The General Manager shall not deny an applicant an expedited appeal without affording the applicant an opportunity to be heard on the issues described. This duty shall be performed by the General Manager or, in the absence of the General Manager, by the Acting General Manager, and shall not be delegated.

9. All the procedures established for a regular appeal, other than those pertaining to time, are the same as to an expedited appeal, unless otherwise noted.

II. MISCELLANEOUS PERMIT APPLICATION PROCEDURES

1. Launching Boats or Other Water Craft

The Business Division shall be responsible for concession agreements whereby a person or entity provides water craft for use by the public for a fee.

Application for a permit to launch water craft other than through concession agreements shall be made to the Superintendent of Parks.

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2. Sign Posting

Whenever approval is sought to post a sign in any park, such approval shall be sought from the division noted below:

Signs posted giving directions to an event for which permit has been issued, from the Division which issued the permit.

Signs posted by persons or organizations maintaining and operating recreational facilities on park property on a daily basis, from the Superintendent of Parks.

Staff shall advise applicants that tobacco product advertising is prohibited on Park property. This prohibition includes the placement of the name of a company producing, selling or distributing cigarettes or tobacco products or the name of any cigarette or tobacco product in any promotion of any event or product.

This prohibition does not extend to government or non-profit advertisements designed to discourage smoking.

3. Athletic Instruction for Compensation

Application for permission to provide athletic instruction for compensation shall be made to the Business Division.

4. Launching Airplanes, Helicopters, Hot Air Balloons or
Other Apparatus of Aviation

Application for such permits shall be made to the Permits and Reservation Section.

5. Peddling Goods, Wares or Merchandise

Application for such permits shall be made to the Permits and Reservation Section if the sale is to take place only one day, and otherwise to the Business Division.

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6. Camping

Application for permits to construct or maintain camping or housing accommodations shall be made to the Permits and Reservation Section.

7. Sleeping Overnight

Application for permits to sleep between 10:00 p.m. and 6:00 a.m. in order to provide security services shall be made to the Permits and Reservation Section.

8. Performance of Labor, Deposit of Building Material

Application for permission to remove any tree, wood, bush, turf, shrub, flower, plant, grass, soil, rock or similar thing shall be made to the Superintendent of Parks.

9. Alcoholic Beverages

Application for permission to consume alcoholic beverages shall be made, as to playgrounds, to the Community Services Section, and, as to all other locations, to the Permits and Reservation Section.

10. Soliciting Passengers for Vehicles for Hire

Application for permission to establish or maintain any stand or other equipment for procuring customers for any vehicle let or used for hire shall be made to the Business Division.

11. Commercial Photography, Filming, Recording

Application for permission to engage in commercial photography, filming or recording shall be made to the Film Permit Coordinator.

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III. GENERAL APPEAL PROCEDURES FOR DENIAL OF PERMIT APPLICATIONS

Denial by staff of an application for a permit to engage in an activity described in this resolution, other than activities described in Park Code Section 7.03, may be appealed to the Recreation and Park Commission in the same manner as a regular or expedited appeal as set forth in Section I. K. In addition, denial by staff of an application for permission to use a building on park property may be appealed to the Commission, in the same manner as a regular or expedited appeal as set forth in Section I. K.

IV. REGULATIONS GOVERNING DISTRIBUTION OR SALE OF FOOD TO THE GENERAL PUBLIC ON PARK PROPERTY

Park Code Section 7.03(k) requires a permit to provide food to persons on park property. Pursuant to Charter Section 3.552 and Park Code Sections 3.01 and 7.706, the Commission hereby establishes the following regulations for the use of park property for the distribution or sale of food.

1. Except as provided in Section IV 2., no person shall, without a permit from the General Manager or the Commission as set forth below, distribute, provide or sell food to the general public, including but not limited to the homeless, on park property.

(a) The General Manager may approve a permit application for the distribution, provision or sale of food to the general public when the proposed activity takes place in an indoor facility appropriate for such use or is in connection with a recreational activity on park property.

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(b) Applications for the distribution, provision or sale of food not subject to subsection (a) above shall be referred to the Commission for action.

2. Exceptions. A permit to sell or provide food to persons on park property is not required when a person participating in a picnic or social gathering of 25 or fewer persons provides food to others who are also participating in that picnic or social gathering. This exception shall not be construed to allow any person to use park property, without a permit, as a mobile or stationary kitchen, eating establishment, restaurant or similar purpose to provide or sell food to the general public, including but not limited to the homeless.

V. STAFF REVIEW OF REGULATIONS

The Commission directs the General Manager and staff to continue to evaluate the viability of these regulations and to ascertain whether this scheme strikes the proper balance between the recreational, constitutional and property interests of San Franciscans heretofore mentioned and the Commission's substantial interest in preserving park property, limiting excessive noise and congestion and other police problems that may result from activities on park property. The General Manager shall report to this Commission its findings as to this issue no later than the fourth and the tenth Commission meetings of each calendar year.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney


MARK BARMORE
Deputy City Attorney

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SUPERSEDES RESOLUTION NO. 10575 (DECEMBER 9, 1976); RESOLUTION NO. 11630 (APRIL 19, 1979); RESOLUTION NO. 12629 (OCTOBER 7, 1981); RESOLUTION NO. 12409 (MARCH 12, 1981); RESOLUTION NO. 13094 (NOVEMBER 12, 1982); RESOLUTION NO. 14375 (MAY 15, 1986); RESOLUTION 14993 (MARCH 17, 1988); RESOLUTION NO. 15256 (JANUARY 19, 1989); RESOLUTION NO. 15431 (JULY 20, 1989); RESOLUTION NO. 15585 (JANUARY 18, 1990); RESOLUTION NO. 15840 (OCTOBER 18, 1990); RESOLUTION NO. 15902 (JANUARY 17, 1991); RESOLUTION NO. 16197 (AUGUST 15, 1991); AND RESOLUTION NO. 16448 (AUGUST 20, 1992)

WHEREAS, Section 7.05 of the Park Code requires this Commission to adopt procedures for the filing and processing of applications for permits to engage in the activities set forth in Section 7.03; and

WHEREAS, Section 7.20 of the Park Code requires this Commission to adopt procedures for the appeal of the denial of an application for a permit to engage in the activities set forth in Section 7.03; and

WHEREAS, various provisions of the Park Code other than Section 7.03 require a permit to engage in certain activities without specifying the division responsible for issuing the permit or the appropriate appeal procedure; and

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WHEREAS, the Commission recognizes that the right of citizens to hold assemblies is a treasured right in our society; and

WHEREAS, the Commission acknowledges that the use of park property for public assemblies is a privilege to be exercised by those who accept the attendant duty of protecting and preserving park property against damage and who agree to comply with all relevant laws; and

WHEREAS, the Commission finds that events involving 10,000 or more persons that are anticipated to extend more than one day pose police problems if such events are substantially likely to attract persons who will refuse to leave the park during the night, in violation of Park Code Section 3.13 (sleeping prohibited in the park at night) or who may use campers and other vehicles at night, in violation of Police Code Section 97 (use of vehicles for habitation at night in parks and on streets and public ways prohibited); and

WHEREAS, the Commission also finds that events held in grass areas involving 10,000 or more persons that extend more than one day are substantially likely to result in significant damage to the turf; and

WHEREAS, the Commission finds that Golden Gate Park was created to offer an alternative to the urban setting so that citizens would have available to them a serene, natural environment for their aesthetic, athletic and recreational enjoyment; and

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WHEREAS, Golden Gate Park lands were constructed on shifting sand dunes and in most areas of Golden Gate Park there is only a two inch layer of top soil and an unrestricted use of Golden Gate Park meadows by large crowds is substantially likely to cause damage to the fragile crust of soil and surrounding vegetation; and

WHEREAS, the Commission remains concerned that allowing an unrestricted number of events involving crowds of 25,000 or more in the Polo Field will result in a cumulative, long-term adverse impact upon the fragile soil and vegetation at the west end of Golden Gate Park; and

WHEREAS, the Commission reaffirms its objectives and policies for Golden Gate Park as set forth in its plan for Golden Gate Park, adopted pursuant to Resolution No. 11678 and amended pursuant to Resolution No. 14048, wherein, among other things the Commission states its policy that large gatherings may well be accommodated in San Francisco parks other than Golden Gate Park so as to balance the city-wide recreational program and alleviate wear and tear on Golden Gate Park; and

WHEREAS, the Commission also states in the Golden Gate Park Plan that permittees proposing an event which will draw at least 5,000 persons within Golden Gate Park should be requested to prepare a transportation analysis detailing possible transportation impacts to Golden Gate Park. Where appropriate permittees proposing large events should provide a transportation management system that will prevent additional automobile congestion, user conflicts and all-day parking by non-recreational users within the park system; and

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WHEREAS, the Commission finds that the unrestricted and unregulated duration of amplified sound in Golden Gate Park has an adverse impact upon the surrounding neighbors' quiet enjoyment of their property and unreasonably interferes with their right of privacy; now, therefore, be it

RESOLVED, that this Commission does hereby adopt the policies and procedures stated herein for the issuance of permits for the use of park property; and be it

FURTHER RESOLVED, that the staff shall decide which park facility within the jurisdiction of this Commission is the most suitable facility to accommodate the interests of the permittee; provided however, that staff shall in all cases consider the nature of the event, anticipated impact on the neighborhood, anticipated attendance, the policies and guidelines set forth in this resolution, the expertise and experience of the permittee in organizing the type of event proposed, and any other facts and circumstances that relate to any potential adverse impact on the park property, the neighborhood or the public so long as such impacts are unrelated to the content of the event.

I. PARK CODE SECTION 7.03 PERMIT APPLICATIONS

A. APPLICATION PROCEDURE

1. Except for permits for large events described below, and permits for the sale of food or distribution of free food a written application for a permit to perform an activity listed in Section 7.03 shall be made to the Recreation and Park Department at least 15 days in advance, excluding Saturdays, Sundays and legal holidays, so that staff will have adequate time to process requests properly, meet with parties of

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interest, and coordinate with other affected public agencies as needed. A written application for a permit to perform an activity listed in Section 7.03 which is a large event with an expected attendance of at least 5,000 or for the sale or distribution of food shall be made to the Recreation and Park Department at least 30 days in advance, excluding Saturdays, Sundays and legal holidays, so that staff will have adequate time to schedule meetings with the permittee and other affected public agencies. Applications for events with an expected attendance of at least 5,000 shall include all of the following information:

(a) The name, address and telephone number of the applicant;

(b) The name(s) of all sponsoring, participating and/or performing groups;

(c) A description of the activity for which a permit is sought;

(d) The date, starting time, place and the estimated length of time of the event;

(e) The number of persons that are expected to be involved and the reasons for anticipating such a number;

(f) At least two preferred or desired locations;

(g) A transportation management plan detailing methodologies and measures for minimizing and promoting transit use, as well as other plans or proposals, detailing methodologies for minimizing litter, congestion and noise at the preferred or desired location and the surrounding areas that would be affected by the proposed event;

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(h) Where the applicant is an individual, the signature of the applicant, and where the applicant is a person other than an individual, the signature, name, address, and telephone number of the individual executing the application on behalf of the applicant.

Applications for events with an expected attendance of less than 5,000 persons or for the sale or distribution of food to less than 5,000 persons shall include all of the following information set forth in subsections 1 (a) through (f) and (h).

2. The various time requirements for advance application may be waived by the General Manager, upon request in writing by the applicant, if the General Manager determines that the event or events giving rise to the permit application do not reasonably allow a person time to file a permit application within the required time or if an unusual event or combination of events renders such requirement an unreasonable restriction on the right of free speech. Staff cannot approve a permit application filed more than 365 days in advance of the proposed event. Applicants seeking to reserve park property more than one year in advance of their event must seek approval from the Recreation and Park Commission.

3. Spontaneous daily gatherings of individuals dedicated to the practice of various forms of martial arts or Tai Chi exercise may freely assemble without prior application for a permit on certain park properties which shall be designated by the General Manager. The General Manager shall maintain the list of the designated park properties and shall make the list available to the public and the Police Department. The General

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Manager shall inform persons wishing to use designated park properties for the practice of martial arts or Tai Chi exercise that the designated properties are available only when they are not in use pursuant to an approved permit. The General Manager may add or delete designated park properties from the list as is deemed appropriate. Any changes to the list shall be reported to the Commission in the General Manager's report at the Commission meeting immediately following the General Manager's decision to add or delete a designated site. Nothing in this subsection shall be construed to affect the requirements of Park Code Section 7.03 subsections (e) (pre-event publicity) and (m) (amplified sound) or Section 3.08 (compensation for instruction).

B. PROCESSING PROCEDURE FOR PARK CODE

SECTION 7.03 ACTIVITIES

1. Except for applications for the use of the Polo Field for one of the four nonathletic events, fully completed permit applications for the same desired location shall be processed in order of receipt. Revision of an application shall not cause an application to lose priority as to the location desired, unless the revision includes the request for a new location.

2. Fully completed permit applications for activities listed in Park Code Section 7.03 received less than 30 days prior to the date of the proposed event shall be processed within 10 days, excluding Saturdays, Sundays and legal holidays. An application shall be deemed processed within 10 days if the approval or denial is mailed to the address

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contained in the permit application within 10 days after the day it is received or is communicated orally within 10 days after the day it is received, excluding Saturdays, Sundays, and legal holidays. A copy of any written approval or denial of an application shall be kept by the Recreation and Park Department and shall be made available to the applicant upon request.

3. Fully completed permit applications for activities listed in Section 7.03 received 30 days or more before the date of the proposed activity shall be processed as time allows but in no event shall notice of approval or denial be mailed or communicated less than 24 calendar days prior to the date of the proposed activity.

4. Permit applications received in less than the required 15 and 30 day time limits shall be processed within a reasonable time, provided that the General Manager has waived the advance application requirement as set forth in Section I A above. At the time that the applicant is notified of such waiver, the General Manager shall inform the applicant when his or her application is expected to be acted upon.

5. An incomplete permit application shall be returned to the applicant with an explanation as to why it is incomplete whenever the Recreation and Park Department has sufficient information to enable it to return the application.

6. Notice of the denial of a permit application shall be accompanied by a statement of the grounds upon which the application was denied.

7. If a permit application is revised, the time within which the application must be processed shall be computed from the date of the revision.

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C. GENERAL

1. Permit applicants shall be advised by staff that any publicity issued by the applicant before a permit has issued is done at the applicant's own risk.

2. In order to insure that public enjoyment of park properties and the public comfort, convenience, safety and welfare are not disturbed and that public or private property is not damaged, staff may impose reasonable conditions on approval of permit applications, including but not limited to, the conditions that the applicant provide debris boxes, chemical toilet units, protective coverings, monitors, transportation management measures, and security personnel, (after staff consultation with the Police Department) and that the applicant ensure that any stage, booth, platform, tent or other erected structure complies with applicable local laws.

3. Staff shall inform applicants of restrictions contained in City ordinances regulating the use of amplified sound, of the issuance of sound amplification permits by the Police Department, and of the fact that sound amplification ordinances are enforced by the Police Department.

4. Prior to issuing a permit, staff shall consult the Police Department, Municipal Railway, Fire Department, Health Department, Emergency Ambulance Service, Department of Public Works or other relevant agency if any aspect of a permit request requires action or permission from the agency. Staff may also consult the advice of experts in the community in evaluating which park facility is the most appropriate to

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accommodate the proposed event. On any request for a permit for an event which will draw over 5,000 persons, staff shall require the applicant to recycle any newspaper, glass or aluminum items generated by the event. The term "recycle" shall mean and include packaging newspaper, glass and aluminum items separately and making arrangements to have these items delivered to neighborhood recycling centers in the City. In consultation with staff, permittees may make other arrangements for the disposal of recyclable items.

5. Staff may issue one day permits for the sale of food products with approval of the General Manager and the Health Department. All food permits must be filed 30 days in advance of the event. Staff shall have permission to authorize the serving or selling of alcoholic beverages for one day permits with approval of the General Manager so long as the applicant has obtained the necessary approval from the Alcoholic Beverages Commission (ABC).

6. Permittee must secure proper Health Department Notice to Operate and if alcohol is involved a permit from ABC. The Recreation and Park Department letter of permit and the Health Department Notice to Operate must be visibly displayed on each booth or location.

7. Prior to issuing a permit, staff shall arrange a meeting of all public agencies involved in an event with the sponsors of the event if staff concludes the the anticipated attendance is in excess of 5,000, or if some aspect of the event would require special services or permission from the affected public agencies which could not be arranged through normal permit procedures or by consultation with the agencies by telephone.

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8. The sale and use of mylar balloons on all park facilities is prohibited.

9. All other balloons are permitted on park property, but the applicant must remove them following the event. The release of balloons on park property is prohibited.

10. Staff shall advise applicants of the Board of Supervisors' policy against the use of food packaging items which contain chlorofluorocarbons, commonly referred to as styrofoam. Staff shall advise applicants that the use of styrofoam products (defined in San Francisco Health Code Sections 469.1 (a) (b) (d) (e)) on all park facilities is prohibited.

11. The General Manager may enter into an agreement with a nonprofit organization seeking to use park property to waive the applicable use fees in exchange for receiving services that may be provided to the City, provided that the value of the fees waived does not exceed the value of the services rendered.

12. Staff shall process all permits without discrimination with regard to race, color, religion, ancestry, national origin, age, sex, political affiliation, sexual orientation, disability or on any other grounds prohibited by law, of those individuals or groups requesting such permits.

13. Any permittee requesting to erect a stage, booth, platform, tent or other structure must submit an anchoring plan for such structure(s) at the time the permit is requested. The anchoring plan must detail the method to be used to secure such structure(s) in place in a safe and stable condition. No park

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benches, light standards, trash receptacles, buildings, trees, shrubs and the like may be used for the purpose of securing any structure(s) unless prior approval is received from the General Manager. Staff shall review the anchoring plan prior to the approval of the requested permit.

14. Material misrepresentations of fact in an application, in circumstances where the applicant reasonably knew or should have known the application did not contain the true facts, may be considered by the General Manager in determining whether the permit application should be denied or revoked because of the applicant's inability to be responsible for the use of park facilities in compliance with the Park Code and all applicable laws, rules and regulations.

If staff has reason to believe that advertising or publicity for an event for which an application is on file or permit has been issued describes or refers to the event in a manner which indicates that the event is different from that described in the letter of intent or application, staff may request the applicant or permittee to submit such advertising or publicity material. Staff shall examine the same for the purpose of determining whether there is reason to conclude that the application inaccurately or incompletely describes the planned event. If it so determines, in cases where the permit has not been granted, staff shall immediately notify applicant of the same and schedule a hearing before the General Manager to determine whether the applicant must modify its application.

In cases where the application has been granted, staff shall schedule a hearing before the General Manager for the purpose of revoking the issuance of the permit in light of the changed circumstances.

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D. PERFORMANCE BONDS

1. Staff shall require performance bonds pursuant to the following schedule in order to insure that property is restored and cleaned at the conclusion of the permitted activity:

<u>ATTENDANCE</u>		<u>AMOUNT OF BOND</u>
100 -	150	\$ 150
151 -	299	200
300 -	450	250
451 -	700	350
701 -	1,000	450
1,001 -	1,500	750
1,501 -	3,000	1,000
3,001 -	6,000	1,500
6,001 -	9,000	2,000
9,001 -	15,000	3,000
15,001 -	25,000	3,500
25,001 -	45,000	4,000
45,001 -	75,000	6,000
75,001 -	Plus	\$ 10,000

2. Staff may require an applicant to pay a performance bond for events which are expected to draw an attendance of under 100 persons, so long as the amount of the performance bond is reasonably related to the anticipated costs of restoring or cleaning the property used in connection with the event.

3. The performance bond shall be in the form of a cashiers check payable to the San Francisco Recreation and Park Department. The performance bond shall be returned after the event as soon as it is determined that every area of the park used in connection with the event has been cleaned and restored to the same or equivalent condition that existed immediately prior to the time permission to use the facility was granted. In no case shall the performance bond be returned unless the property is returned to its original condition or the permittee has paid the cost of cleaning and restoring the park property used in connection with the event.

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4. When an applicant for a permit to perform an activity which is protected by the First Amendment to the U.S. Constitution and for which a performance bond must be posted produces evidence that providing a cash performance bond would be impossible or so financially burdensome that it would preclude the applicant from using park property for the proposed activity, staff shall accept property in lieu of a cash performance bond so long as the property offered is of a type which will reasonably insure restoration and cleaning of the property to be used. If the applicant is unable to provide any such property in lieu of a bond or produces evidence that he or she is indigent, the General Manager may accept in its place written assurances that all necessary appropriate measures will be undertaken by applicant to protect park property against damage if the General Manager determines that the measures proposed by the applicant will be performed and will adequately protect the property.

5. If an applicant has used park property in the past pursuant to a permit and has caused damage or injury to property or failed to restore or clean the property at the conclusion of the permitted activity, staff may require the applicant to post a performance bond in an amount greater than that normally required, so long as the increased amount is reasonably related to the anticipated costs of restoring or cleaning the property. However, if an applicant who has damaged property or failed to restore or clean the property in the past has, since that occurrence, used park property pursuant to a permit and has left the property in good condition, the amounts normally required of applicants shall apply.

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6. Staff may also require an applicant to post a performance bond in an amount greater than that normally required, so long as the increased amount is reasonably related to the anticipated costs of restoring and cleaning the property used in connection with the event.

7. Beyond the direct costs associated with restoring and cleaning park property following the event, the applicant recognizes and agrees that some violations of Park rules and regulations result in damages which are extremely difficult to estimate. Such damages include (but are not limited to), for example, the public's lost use of the park or lost enjoyment of the flora, fauna or vegetation while the park is being cleaned or restored; increased administrative costs resulting from patrolling the park and admonishing parties violating park rules, general impairment of the park environment and public recreational resource, and the loss of future concession revenues from individuals who are discouraged from using the park as a result of the applicant's violations of park rules. Accordingly, in the event applicant fails to substantially comply with any of the Park's rules, regulations, or other permit conditions (in the opinion of the General Manager or designee), applicant shall be liable for liquidated damages in the amount of \$250 or (25%) of the total performance bond (i.e., cashier's check), whichever is greater. This liability is in addition to any direct costs associated with cleaning and restoring the park, for which the applicant is also liable. Any assessed damages which cannot be recovered from the performance bond (i.e., cashier's check) shall be payable to

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the Recreation and Park Department upon demand. Applicant has the right to appeal the assessment of liquidated damages to the Recreation and Park Commission.

8. General Manager may waive or decrease the performance bond normally required if the applicant has a history of using park property pursuant to a permit and has consistently left the property used in good condition and no circumstances exist which indicate that the applicant might fail to restore the property after the proposed event.

9. When the applicant fails to follow Park rules and regulations, or any other conditions placed on a permit to use the Park, which staff reasonably believes risks serious damage to park property or substantially interferes with the use and enjoyment of the area or facility by other persons, staff may issue a warning that any further violations of any rules, regulations or conditions may result in an order to leave the park. Following the event, the General Manager (or designee) may issue an order denying the group or organization a permit to use the park for a period not to exceed one year. However, groups or organizations which only sponsor an annual event will be denied a permit through the following calendar year. In determining the length of time a group or organization will be excluded from the park, staff will consider only the nature, extent and the duration of the particular violation(s).

E. INSURANCE REQUIREMENTS

Insurance coverage of the type and amount described below shall be required for the following events where the sponsor is other than a governmental entity:

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1. Any event involving groups of 1,000 or more persons;
2. Any event scheduled at night which takes place in whole or part outdoors unless (a) the number involved is so small given the type of activity involved and the location of the event that staff is able to determine that the risk of harm to persons or property is minimal or (b) the applicant or sponsor agrees to provide lighting of sufficient strength that staff is able to determine that the risk of harm to persons or property is minimal.
3. Any event involving animals;
4. Any event which involves large displays, machinery, or any large physical object which could come into physical contact with persons or property and cause injury;
5. Any race or marathon for which a permit is required pursuant to Article 7 of the Park Code;
6. Any festival except that festivals not providing food for sale or not having games which involve an element of risk do not require insurance.

The insurance requirements are as follows: Liability insurance covering all operations, including but not limited to the demised premises, personal injuries and injury to property for single limits of not less than \$1,000,000 applying to bodily injuries (including death at any time resulting therefrom), and property damage or a combination of said injuries.

In addition, any event at which food is sold or given to persons other than those in one's own organized group must be covered by the following insurance: Food Products Liability of

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\$1,000,000 when sale of food is contemplated as part of a requested permit. Conditions of sale as negotiated by the Business Office shall be subject to Commission approval.

The normal insurance coverage requirements shall not apply to applicants who propose to engage in an activity protected by the First Amendment of the U.S. Constitution when the applicant produces evidence that complying with those provisions is impossible or so financially burdensome that it would preclude the applicant from using park property for the proposed activity. However, in no event shall the requirement for food products liability coverage be waived when food is involved.

F. HOLD HARMLESS AGREEMENT

An applicant for any permit to engage in an activity for which a performance bond or insurance coverage is normally required shall also be required to sign an agreement to reimburse the Recreation and Park Department for any costs incurred by it in restoring damage to property caused by the action of the permittee, its officers, employees, or agents, or any person who was, or reasonably should have been, under the permittee's control, and to defend the City against, and indemnify and hold the City harmless from any liability to any person resulting from any damage or injury caused by the actions of the permittee, its officers, employees or agents, or any person who was or reasonably should have been, under the permittee's control whenever the performance bond or insurance coverage is waived.

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G. FACILITIES

1. Those Recreation and Park facilities serving a specific function, such as baseball diamonds, tennis courts, swimming pools and areas used primarily as children's play areas and neighborhood playgrounds, will not be the site of any event that would conflict with what is intended as the primary function of that Recreation and Park facility.

2. Those facilities which primarily function as recreational areas for the persons residing or working in the areas adjacent to them shall be used primarily for events and activities designed for recreation, enjoyment or use of such persons. Events which will draw persons from throughout the City or beyond may be permitted in these areas only if to deny such use would unreasonably burden First Amendment expression or no other suitable facility is available. Examples of areas to which this policy refers are Huntington Park, Alta Plaza, Alamo Square, Lafayette Square, Holly Park and the Panhandle of Golden Gate Park.

3. In reviewing requests for the use of facilities for demonstrations or musical events or any event requiring amplified sound staff shall schedule these events at facilities recognized as serving a city-wide function. These facilities include, but are not limited to, Union Square, Candlestick Park, Civic Center Plaza, Justin Herman Plaza (Embarcadero Plaza), McLaren Amphitheater, Portsmouth Square, Music Concourse, Kezar Stadium and Marx Meadow in Golden Gate Park.

4. Staff shall not schedule an event at any facility if the staff has reason to conclude that the event will attract an audience which will exceed the maximum capacity of that

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facility. The facilities listed below have the capacity indicated:

10 Sq. Feet Per Person

Beach Chalet Playing Field		28,000
Candlestick Park Field (5 sq. ft. per person)		24,800
Candlestick Park Parking Lot		240,000
Lindley Meadow		23,000
Log Cabin Picnic Area	W	2,500
	E	4,400
Marina Green	W	8,300
	E	31,300
Marx Meadow		6,700
McLaren Amphitheater		4,300
Sharon Meadow		21,200
Speedway Meadow		29,000
Stern Grove Concert Area		7,500
with organized seating		20,000

5 Sq. Feet Per Person

Civic Center Plaza		
	North	20,700
	South	23,330
Embarcadero Plaza		13,000
Japanese Peace Plaza		1,780
Music Concourse (earthquake damaged)		3,000
Polo Field		100,000
Portsmouth Square with Brenham Place closed		11,500
Union Square		6,000
United Nations Plaza		3,600
Washington Square (10 sq.ft per person)		8,000

No more than one multiple day event which draws 10,000 or more people may be held in the same grass area within one calendar month. There must be at least one full week between each event. Spacing of events is required to allow recovery of the turf. In considering applications for events in grass area which will draw 10,000 or more people staff may limit sponsors to one event per month provided there is a heavy demand for such permits. The foregoing rule shall not be applied to Stern Grove Concert Meadow during the concert season. The Polo Field and Beach Chalet playing field are considered separately in section H.

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5. Amplified sound may be permitted in Union Square, Embarcadero Plaza, and Civic Center on weekdays, Monday through Friday from 12 noon to 1:30 p.m. only. However, if the permittee is unable to schedule the event in Union Square between 12 noon and 1:30 p.m. on a weekday, amplified sound may be permitted in that unit for a maximum of 2 hours in the evening hours between 5 p.m. and 9 p.m. Amplified sound may be permitted in Union Square and Embarcadero Plaza on weekends (Saturday and Sunday) and holidays from 12 noon to 2 p.m. only, except that if the permittee is unable to schedule the event between 12 noon and 2 p.m., amplified sound may be permitted at other times, although not earlier than 9 a.m. nor later than 9 p.m., provided that the time for such amplified sound does not exceed 2 hours. Amplified sound may be permitted in the Civic Center on weekends and holidays from 9 a.m. to sunset only. If the permittee is unable to schedule the event in Civic Center on weekends or holidays from 9 a.m. to sunset, amplified sound may be permitted in the Civic Center for a maximum of 2 hours in the evening between 5 p.m. and 10 p.m. Amplified sound may be permitted for a maximum of 4 consecutive hours per day at Mission Dolores Park, Marina Green and Washington Square on weekends and holidays from 1 p.m. to sunset and on weekdays not to begin before 9 a.m. or go beyond 9 p.m.

6. Staff shall limit all permits to one day only. Special permission for consecutive multiple day events may be granted by the Commission who shall consider the nature of the event, the proposed location, the anticipated attendance, and any other facts and circumstances that relate to any potential

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adverse impact on the park property, the neighborhood, or the public so long as such impacts are unrelated to the content of the event.

7. The Commission finds that Union Square and the Civic Center are in great demand for activities and events by many different persons and organizations and that approval of applications received from one person or organization for use of these facilities for numerous multiple dates unfairly restricts the number of persons who may use them. In considering applications for permits to use these facilities, staff may require the applicant to move the proposed event to another location if the applicant has used the facility requested on numerous occasions in the previous two months.

H. GOLDEN GATE PARK

1. The Polo Field (Golden Gate Park Stadium) shall be reserved for athletic, equestrian and sports events on a priority basis. Four open dates shall be designated for nonathletic/nonsports events drawing at least 25,000 persons. These dates shall be available to the public on the first working Monday of each year. It shall be the policy of this Commission that these dates be designated one each in the months of May, July, September and October to allow for turf recovery and that these dates must be at least 6 weeks apart.

The first business day of March is the cutoff date for interested applicants to submit completed applications for the May date at the Polo Field for a nonathletic/nonsports event drawing at least 25,000 persons. The first business day of May is the cutoff date for interested applicants to submit completed applications for the July date at the Polo Field for

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a nonathletic/nonsports event drawing at least 25,000 persons. The first business day of July is the cutoff date for interested applicants to submit completed applications for the September date at the Polo Field for a nonathletic/nonsports event drawing at least 25,000 persons. The first business day of August is the cutoff date for interested applicants to submit completed applications for the October date at the Polo Field for a nonathletic/nonsports event drawing at least 25,000 persons. Once all of the completed applications are received for a given date they will be evaluated by the staff. A lottery system will be used only if there are two or more applications for a given date. In considering applications for the use of the Polo Field for a nonathletic/nonsports event which will draw 25,000 or more persons, staff may limit sponsors to one date provided there is a heavy demand for such permits.

2. Beach Chalet playing fields shall be reserved for athletic and sports events only.

3. Speedway Meadow shall be reserved for use primarily as a group picnic area. This area may also be used for large assemblies as set forth in Section G 4.

4. Permits for events which require amplified sound permits issued by the Police Department shall be allowed at the Music Concourse and Kezar Stadium between the hours of 9:00 a.m. and 6:00 p.m. daily. Amplified sound at the Music Concourse shall not exceed one (1) continuous five (5) hour period during these hours. Amplified sound at Kezar Stadium shall not exceed four (4) hours per day, no more than three (3) days per week.

Amplified sound may be allowed in the case of Golden Gate

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Gate Park between 8:30 a.m. and 9:00 a.m., for a permitted event of more than 1,000 people, for event announcements and emergency information only. This amplification must not exceed a system capable of a maximum of 100 total watts of power at any time.

Permits for events which require amplified sound permits issued by the Police Department shall also be allowed at the Polo Field and Marx Meadow between the hours of 10:00 a.m. and 5:00 p.m. daily; provided, however, that in no case shall amplified sound before, during and after a nonathletic, equestrian or sports event exceed a total of 4 consecutive hours of amplified sound per day and no more than 12 consecutive hours in a week in the west end of Golden Gate Park.

Any permit which requires a sound permit issued by the Police Department as part of an athletic, sports or equestrian event at the Polo Field or Beach Chalet playing field shall in no case allow amplified sound before, during, and after an event in excess of a total of 2 hours. Nothing herein shall be construed to restrict play by play amplified announcements germane to broadcasting athletic, equestrian or sports events at the Polo Field, Beach Chalet playing field, Bercut Field or Kezar Stadium.

In all events involving amplified sound the sound level shall not exceed the limit permitted pursuant to applicable provisions of the Police Code. In addition, staff shall not allow more than one event for which an amplified sound permit is required in the west end of Golden Gate Park on a given day; provided further that in order to minimize the impact of noise

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in the west end of Golden Gate Park on weekends and holidays, staff shall not schedule events with amplified sound for which a sound permit is required, for two consecutive days during a weekend or a weekend holiday of any given week in the west end of Golden Gate Park.

5. Except by special permission of the General Manager, there shall be no sale of Street Artists' wares or arts and crafts handiwork in outdoor areas of Golden Gate Park.

I. WEDDINGS

The following properties are authorized for weddings:
Chinese Pavilion, Rose Garden, Wilhemina Tulip Garden, Shakespeare Garden, Rhododendron Dell, Metson Lake, Liberty Tree, Hoover Redwood Grove, George Washington Bicentennial, Elk Glen, the Conservatory, Stern Grove, Pioneer Log Cabin, Marx Meadow, the lawn area and courtyard of the Legion of Honor, Chain of Lakes area. Weddings in other areas shall be by special permission of the General Manager only.

J. MECHANICAL RIDES AND AMUSEMENT DEVICES

Permits shall not be granted for the installation and use of portable mechanical rides and amusement devices on any Recreation and Park facility.

K. APPEAL PROCEDURE

1. An applicant for a permit to perform acts described in Park Code Section 7.03 may appeal the denial of a permit application or revocation of a permit, or subsequent assessment of liquidated damages, by filing with the Secretary of the Recreation and Park Commission a written request for a hearing. The request for a hearing shall state succinctly the grounds upon which it is asserted that the determination of the General Manager should be modified or reversed.

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2. Once an appeal has been filed, the Secretary shall place the matter on the agenda of the appropriate committee of the Commission for its next regularly scheduled meeting and on the agenda of the Commission for its next regularly scheduled meeting. However, on matters involving questions of significant public interest or policy the General Manager may place the matter on the agenda of the Commission for its next regularly scheduled meeting for decision without placing the matter on the agenda of the appropriate committee of the Commission.

3. The Commission shall afford the applicant an opportunity for a hearing and may reverse, affirm or modify in any regard the determination of the General Manager. When the Commission affirms the denial of a permit application or revocation of a permit, such a decision shall be based on one or more of the reasons listed in Section 7.07 of the Park Code.

4. The Commission shall give the applicant written notice of its decision within 3 days after the hearing, Saturdays, Sundays, and legal holidays excluded. Such notice shall be mailed to the applicant at the address contained in the request for a hearing or, if none, in the permit application. The Secretary of the Commission shall keep a copy of the notice on file to be made available to the applicant upon request. When the Commission issues a ruling adverse to the applicant, the Commission shall include within the written notice to the applicant the reasons for the decision and a specification of the findings of fact on which the decision is based.

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5. A person whose permit application has been denied or permit revoked may file in a timely manner a request for an expedited appeal if the regular appeal procedure, set forth above, would deprive the person of a hearing before the Commission prior to the date of the proposed activity for which a permit is sought and a postponement of the date of the proposed activity would prejudice the applicant.

6. The Commission shall afford an expedited appeal by providing a hearing and a written notice of its decision within 72 hours of the time that the written request for a hearing is filed with the Secretary of the Commission. The written notice shall be filed with the Secretary of the Commission who shall give it to the applicant upon request. If the expiration of the 72-hour period does not fall during regular business hours of the Recreation and Park Department, the Commission shall, at the time of the hearing, arrange with the applicant a procedure for making the decision available within 72 hours.

7. If a quorum of the Commission cannot be convened within the 72-hour period in order to provide an expedited appeal, the hearing and written notice of decision shall be provided by the General Manager. This duty shall be performed by the General Manager or, in the absence of the General Manager, by the Acting General Manager, and shall not be delegated.

8. The determinations as to whether the request for an expedited appeal has been filed in a timely manner and whether postponement of the date of the proposed activity would prejudice the applicant shall be made by the General Manager

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and the decision of the General Manager on these issues shall be final. The General Manager shall not deny an applicant an expedited appeal without affording the applicant an opportunity to be heard on the issues described. This duty shall be performed by the General Manager or, in the absence of the General Manager, by the Acting General Manager, and shall not be delegated.

9. All the procedures established for a regular appeal, other than those pertaining to time, are the same as to an expedited appeal, unless otherwise noted.

II. MISCELLANEOUS PERMIT APPLICATION PROCEDURES

1. Launching Boats or Other Water Craft

The Business Division shall be responsible for concession agreements whereby a person or entity provides water craft for use by the public for a fee.

Application for a permit to launch water craft other than through concession agreements shall be made to the Superintendent of Parks.

2. Sign Posting

Whenever approval is sought to post a sign in any park, such approval shall be sought from the division noted below:

Signs posted giving directions to an event for which permit has been issued, from the Division which issued the permit.

Signs posted by persons or organizations maintaining and operating recreational facilities on park property on a daily basis, from the Superintendent of Parks.

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Staff shall advise applicants that tobacco product advertising is prohibited on Park property. This prohibition includes the placement of the name of a company producing, selling or distributing cigarettes or tobacco products or the name of any cigarette or tobacco product in any promotion of any event or product.

This prohibition does not extend to government or non-profit advertisements designed to discourage smoking.

3. Athletic Instruction for Compensation

Application for permission to provide athletic instruction for compensation shall be made to the Business Division.

4. Launching Airplanes, Helicopters, Hot Air Balloons or
Other Apparatus of Aviation

Application for such permits shall be made to the Permits and Reservation Section.

5. Peddling Goods, Wares or Merchandise

Application for such permits shall be made to the Permits and Reservation Section if the sale is to take place only one day, and otherwise to the Business Division.

6. Camping

Application for permits to construct or maintain camping or housing accommodations shall be made to the Permits and Reservation Section.

7. Sleeping Overnight

Application for permits to sleep between 10:00 p.m. and 6:00 a.m. in order to provide security services shall be made to the Permits and Reservation Section.

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8. Performance of Labor, Deposit of Building Material

Application for permission to remove any tree, wood, bush, turf, shrub, flower, plant, grass, soil, rock or similar thing shall be made to the Superintendent of Parks.

9. Alcoholic Beverages

Application for permission to consume alcoholic beverages shall be made, as to playgrounds, to the Community Services Section, and, as to all other locations, to the Permits and Reservation Section.

10. Soliciting Passengers for Vehicles for Hire

Application for permission to establish or maintain any stand or other equipment for procuring customers for any vehicle let or used for hire shall be made to the Business Division.

11. Commercial Photography, Filming, Recording

Application for permission to engage in commercial photography, filming or recording shall be made to the Film Permit Coordinator.

III. GENERAL APPEAL PROCEDURES FOR DENIAL OF PERMIT APPLICATIONS

Denial by staff of an application for a permit to engage in an activity described in this resolution, other than activities described in Park Code Section 7.03, may be appealed to the Recreation and Park Commission in the same manner as a regular or expedited appeal as set forth in Section I. K. In addition, denial by staff of an application for permission to use a building on park property may be appealed to the Commission, in the same manner as a regular or expedited appeal as set forth in Section I. K.

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IV. REGULATIONS GOVERNING DISTRIBUTION OR SALE OF FOOD TO
THE GENERAL PUBLIC ON PARK PROPERTY

Park Code Section 7.03(k) requires a permit to provide food to persons on park property. Pursuant to Charter Section 3.552 and Park Code Sections 3.01 and 7.706, the Commission hereby establishes the following regulations for the use of park property for the distribution or sale of food.

1. Except as provided in Section IV 2., no person shall, without a permit from the General Manager or the Commission as set forth below, distribute, provide or sell food to the general public, including but not limited to the homeless, on park property.

(a) The General Manager may approve a permit application for the distribution, provision or sale of food to the general public when the proposed activity takes place in an indoor facility appropriate for such use or is in connection with a recreational activity on park property.

(b) Applications for the distribution, provision or sale of food not subject to subsection (a) above shall be referred to the Commission for action.

2. Exceptions. A permit to sell or provide food to persons on park property is not required when a person participating in a picnic or social gathering of 25 or fewer persons provides food to others who are also participating in that picnic or social gathering. This exception shall not be construed to allow any person to use park property, without a permit, as a mobile or stationary kitchen, eating establishment, restaurant or similar purpose to provide or sell food to the general public, including but not limited to the homeless.

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V. STAFF REVIEW OF REGULATIONS

The Commission directs the General Manager and staff to continue to evaluate the viability of these regulations and to ascertain whether this scheme strikes the proper balance between the recreational, constitutional and property interests of San Franciscans heretofore mentioned and the Commission's substantial interest in preserving park property, limiting excessive noise and congestion and other police problems that may result from activities on park property. The General Manager shall report to this Commission its findings as to this issue no later than the fifth and the eleventh Commission meetings of each calendar year.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney


MARK BARMORE
Deputy City Attorney

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Adopted May 20, 1993

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RECREATION AND PARK COMMISSION

Permit and Reservation Policy

Resolution No. 16640

Adopted May 20, 1993

SUPERSEDES RESOLUTION NO. 10575 (DECEMBER 9, 1976); RESOLUTION NO. 11630 (APRIL 19, 1979); RESOLUTION NO. 12629 (OCTOBER 7, 1981); RESOLUTION NO. 12409 (MARCH 12, 1981); RESOLUTION NO. 13094 (NOVEMBER 12, 1982); RESOLUTION NO. 14375 (MAY 15, 1986); RESOLUTION 14993 (MARCH 17, 1988); RESOLUTION NO. 15256 (JANUARY 19, 1989); RESOLUTION NO. 15431 (JULY 20, 1989); RESOLUTION NO. 15585 (JANUARY 18, 1990); RESOLUTION NO. 15840 (OCTOBER 18, 1990); RESOLUTION NO. 15902 (JANUARY 17, 1991); RESOLUTION NO. 16197 (AUGUST 15, 1991); RESOLUTION NO. 16448 (AUGUST 20, 1992) AND RESOLUTION NO. 16488 (OCTOBER 15, 1992)

WHEREAS, Section 7.05 of the Park Code requires this Commission to adopt procedures for the filing and processing of applications for permits to engage in the activities set forth in Section 7.03; and

WHEREAS, Section 7.20 of the Park Code requires this Commission to adopt procedures for the appeal of the denial of an application for a permit to engage in the activities set forth in Section 7.03; and

WHEREAS, various provisions of the Park Code other than Section 7.03 require a permit to engage in certain activities without specifying the division responsible for issuing the permit or the appropriate appeal procedure; and

WHEREAS, the Commission recognizes that the right of citizens to hold assemblies is a treasured right in our society; and

WHEREAS, the Commission acknowledges that the use of park property for public assemblies is a privilege to be exercised by those who accept the attendant duty of protecting and preserving

park property against damage and who agree to comply with all relevant laws; and

WHEREAS, the Commission finds that events involving 10,000 or more persons that are anticipated to extend more than one day pose police problems if such events are substantially likely to attract persons who will refuse to leave the park during the night, in violation of Park Code Section 3.13 (sleeping prohibited in the park at night) or who may use campers and other vehicles at night, in violation of Police Code Section 97 (use of vehicles for habitation at night in parks and on streets and public ways prohibited); and

WHEREAS, the Commission also finds that events held in grass areas involving 10,000 or more persons that extend more than one day are substantially likely to result in significant damage to the turf; and

WHEREAS, the Commission finds that Golden Gate Park was created to offer an alternative to the urban setting so that citizens would have available to them a serene, natural environment for their aesthetic, athletic and recreational enjoyment; and

WHEREAS, Golden Gate Park lands were constructed on shifting sand dunes and in most areas of Golden Gate Park there is only a two inch layer of top soil and an unrestricted use of Golden Gate Park meadows by large crowds is substantially likely to cause damage to the fragile crust of soil and surrounding vegetation; and

WHEREAS, the Commission remains concerned that allowing an unrestricted number of events involving crowds of 25,000 or more

in the Polo Field will result in a cumulative, long-term adverse impact upon the fragile soil and vegetation at the west end of Golden Gate Park; and

WHEREAS, the Commission reaffirms its objectives and policies for Golden Gate Park as set forth in its plan for Golden Gate Park, adopted pursuant to Resolution No. 11678 and amended pursuant to Resolution No. 14048, wherein, among other things the Commission states its policy that large gatherings may well be accommodated in San Francisco parks other than Golden Gate Park so as to balance the city-wide recreational program and alleviate wear and tear on Golden Gate Park; and

WHEREAS, the Commission also states in the Golden Gate Park Plan that permittees proposing an event which will draw at least 5,000 persons within Golden Gate Park should be requested to prepare a transportation analysis detailing possible transportation impacts to Golden Gate Park. Where appropriate permittees proposing large events should provide a transportation management system that will prevent additional automobile congestion, user conflicts and all-day parking by non-recreational users within the park system; and

WHEREAS, the Commission finds that the unrestricted and unregulated duration of amplified sound in Golden Gate Park has an adverse impact upon the surrounding neighbors' quiet enjoyment of their property and unreasonably interferes with their right of privacy; now, therefore, be it

RESOLVED, that this Commission does hereby adopt the policies and procedures stated herein for the issuance of permits for the use of park property; and be it

FURTHER RESOLVED, that the staff shall decide which park facility within the jurisdiction of this Commission is the most suitable facility to accommodate the interests of the permittee; provided however, that staff shall in all cases consider the nature of the event, anticipated impact on the neighborhood, anticipated attendance, the policies and guidelines set forth in this resolution, the expertise and experience of the permittee in organizing the type of event proposed, and any other facts and circumstances that relate to any potential adverse impact on the park property, the neighborhood or the public so long as such impacts are unrelated to the content of the event.

I. PARK CODE SECTION 7.03 PERMIT APPLICATIONS

A. APPLICATION PROCEDURE

1. Except for permits for large events described below, and permits for the sale of food or distribution of free food a written application for a permit to perform an activity listed in Section 7.03 shall be made to the Recreation and Park Department at least 15 days in advance, excluding Saturdays, Sundays and legal holidays, so that staff will have adequate time to process requests properly, meet with parties of interest, and coordinate with other affected public agencies as needed. A written application for a permit to perform an activity listed in Section 7.03 which is a large event with an expected attendance of at least 5,000 or for the sale or distribution of food shall be made to the Recreation and Park Department at least 30 days in advance, excluding Saturdays, Sundays and legal holidays, so that staff will have adequate time to schedule meetings with the permittee and other affected public agencies. Applications for

events with an expected attendance of at least 5,000 shall include all of the following information:

- (a) The name, address and telephone number of the applicant;
- (b) The name(s) of all sponsoring, participating and/or performing groups;
- (c) A description of the activity for which a permit is sought;
- (d) The date, starting time, place and the estimated length of time of the event;
- (e) The number of persons that are expected to be involved and the reasons for anticipating such a number;
- (f) At least two preferred or desired locations;
- (g) A transportation management plan detailing methodologies and measures for minimizing and promoting transit use, as well as other plans or proposals, detailing methodologies for minimizing litter, congestion and noise at the preferred or desired location and the surrounding areas that would be affected by the proposed event;
- (h) Where the applicant is an individual, the signature of the applicant, and where the applicant is a person other than an individual, the signature, name, address, and telephone number of the individual executing the application on behalf of the applicant.

Applications for events with an expected attendance of less than 5,000 persons or for the sale or distribution of food to less than 5,000 persons shall include all of the following information set forth in subsections 1 (a) through (f) and (h).

2. The various time requirements for advance application may be waived by the General Manager, upon request in writing by the applicant, if the General Manager determines that the event or events giving rise to the permit application do not reasonably allow a person time to file a permit application within the required time or if an unusual event or combination of events renders such requirement an unreasonable restriction on the right of free speech. Staff cannot approve a permit application filed more than 365 days in advance of the proposed event. Applicants seeking to reserve park property more than one year in advance of their event must seek approval from the Recreation and Park Commission.

3. Spontaneous daily gatherings of individuals dedicated to the practice of various forms of martial arts or Tai Chi exercise may freely assemble without prior application for a permit on certain park properties which shall be designated by the General Manager. The General Manager shall maintain the list of the designated park properties and shall make the list available to the public and the Police Department. The General Manager shall inform persons wishing to use designated park properties for the practice of martial arts or Tai Chi exercise that the designated properties are available only when they are not in use pursuant to an approved permit. The General Manager may add or delete designated park properties from the list as is deemed appropriate. Any changes to the list shall be reported to the Commission in the General Manager's report at the Commission meeting immediately following the General Manager's decision to add or delete a designated site. Nothing in this subsection

shall be construed to affect the requirements of Park Code Section 7.03 subsections (e) (pre-event publicity) and (m) (amplified sound) or Section 3.08 (compensation for instruction).

B. PROCESSING PROCEDURE FOR PARK CODE

SECTION 7.03 ACTIVITIES

1. Except for applications for the use of the Polo Field for one of the four nonathletic events, fully completed permit applications for the same desired location shall be processed in order of receipt. Revision of an application shall not cause an application to lose priority as to the location desired, unless the revision includes the request for a new location.

2. Fully completed permit applications for activities listed in Park Code Section 7.03 received less than 30 days prior to the date of the proposed event shall be processed within 10 days, excluding Saturdays, Sundays and legal holidays. An application shall be deemed processed within 10 days if the approval or denial is mailed to the address contained in the permit application within 10 days after the day it is received or is communicated orally within 10 days after the day it is received, excluding Saturdays, Sundays, and legal holidays. A copy of any written approval or denial of an application shall be kept by the Recreation and Park Department and shall be made available to the applicant upon request.

3. Fully completed permit applications for activities listed in Section 7.03 received 30 days or more before the date of the proposed activity shall be processed as time allows but in no event shall notice of approval or denial be mailed or

communicated less than 24 calendar days prior to the date of the proposed activity.

4. Permit applications received in less than the required 15 and 30 day time limits shall be processed within a reasonable time, provided that the General Manager has waived the advance application requirement as set forth in Section I A above. At the time that the applicant is notified of such waiver, the General Manager shall inform the applicant when his or her application is expected to be acted upon.

5. An incomplete permit application shall be returned to the applicant with an explanation as to why it is incomplete whenever the Recreation and Park Department has sufficient information to enable it to return the application.

6. Notice of the denial of a permit application shall be accompanied by a statement of the grounds upon which the application was denied.

7. If a permit application is revised, the time within which the application must be processed shall be computed from the date of the revision.

C. GENERAL

1. Permit applicants shall be advised by staff that any publicity issued by the applicant before a permit has issued is done at the applicant's own risk.

2. In order to insure that public enjoyment of park properties and the public comfort, convenience, safety and welfare are not disturbed and that public or private property is not damaged, staff may impose reasonable conditions on approval of permit applications, including but not limited to, the

RECREATION AND PARK COMMISSION

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WHEREAS, Golden Gate Park lands were constructed on shifting sand dunes and in most areas of Golden Gate Park there is only a two inch layer of top soil and an unrestricted use of Golden Gate Park meadows by large crowds is substantially likely to cause damage to the fragile crust of soil and surrounding vegetation; and

WHEREAS, the Commission remains concerned that allowing an unrestricted number of events involving crowds of 25,000 or more

conditions that the applicant provide debris boxes, chemical toilet units, protective coverings, monitors, transportation management measures, and security personnel, (after staff consultation with the Police Department) and that the applicant ensure that any stage, booth, platform, tent or other erected structure complies with applicable local laws.

3. Staff shall inform applicants of restrictions contained in City ordinances regulating the use of amplified sound, of the issuance of sound amplification permits by the Police Department, and of the fact that sound amplification ordinances are enforced by the Police Department.

4. Prior to issuing a permit, staff shall consult the Police Department, Municipal Railway, Fire Department, Health Department, Emergency Ambulance Service, Department of Public Works or other relevant agency if any aspect of a permit request requires action or permission from the agency. Staff may also consult the advice of experts in the community in evaluating which park facility is the most appropriate to accommodate the proposed event. On any request for a permit for an event which will draw over 5,000 persons, staff shall require the applicant to recycle any newspaper, glass or aluminum items generated by the event. The term "recycle" shall mean and include packaging newspaper, glass and aluminum items separately and making arrangements to have these items delivered to neighborhood recycling centers in the City. In consultation with staff, permittees may make other arrangements for the disposal of recyclable items. On any request for an event which will draw over 1,000 persons, staff shall require the applicant to pay an

additional fee for the cost of providing parking control for the event.

5. Staff may issue one day permits for the sale of food products with approval of the General Manager and the Health Department. All food permits must be filed 30 days in advance of the event. Staff shall have permission to authorize the serving or selling of alcoholic beverages for one day permits with approval of the General Manager so long as the applicant has obtained the necessary approval from the Alcoholic Beverages Commission (ABC).

6. Permittee must secure proper Health Department Notice to Operate and if alcohol is involved a permit from ABC. The Recreation and Park Department letter of permit and the Health Department Notice to Operate must be visibly displayed on each booth or location.

7. Prior to issuing a permit, staff shall arrange a meeting of all public agencies involved in an event with the sponsors of the event if staff concludes the the anticipated attendance is in excess of 5,000, or if some aspect of the event would require special services or permission from the affected public agencies which could not be arranged through normal permit procedures or by consultation with the agencies by telephone.

8. The sale and use of mylar balloons on all park facilities is prohibited.

9. All other balloons are permitted on park property, but the applicant must remove them following the event. The release of balloons on park property is prohibited.

10. Staff shall advise applicants of the Board of Supervisors' policy against the use of food packaging items which contain chlorofluorocarbons, commonly referred to as styrofoam. Staff shall advise applicants that the use of styrofoam products (defined in San Francisco Health Code Sections 469.1 (a) (b) (d) (e)) on all park facilities is prohibited.

11. The General Manager may enter into an agreement with a nonprofit organization seeking to use park property to waive the applicable use fees in exchange for receiving services that may be provided to the City, provided that the value of the fees waived does not exceed the value of the services rendered.

12. Staff shall process all permits without discrimination with regard to race, color, religion, ancestry, national origin, age, sex, political affiliation, sexual orientation, disability or on any other grounds prohibited by law, of those individuals or groups requesting such permits.

13. Any permittee requesting to erect a stage, booth, platform, tent or other structure must submit an anchoring plan for such structure(s) at the time the permit is requested. The anchoring plan must detail the method to be used to secure such structure(s) in place in a safe and stable condition. No park benches, light standards, trash receptacles, buildings, trees, shrubs and the like may be used for the purpose of securing any structure(s) unless prior approval is received from the General Manager. Staff shall review the anchoring plan prior to the approval of the requested permit.

14. Material misrepresentations of fact in an application, in circumstances where the applicant reasonably knew or should

have known the application did not contain the true facts, may be considered by the General Manager in determining whether the permit application should be denied or revoked because of the applicant's inability to be responsible for the use of park facilities in compliance with the Park Code and all applicable laws, rules and regulations.

If staff has reason to believe that advertising or publicity for an event for which an application is on file or permit has been issued describes or refers to the event in a manner which indicates that the event is different from that described in the letter of intent or application, staff may request the applicant or permittee to submit such advertising or publicity material. Staff shall examine the same for the purpose of determining whether there is reason to conclude that the application inaccurately or incompletely describes the planned event. If it so determines, in cases where the permit has not been granted, staff shall immediately notify applicant of the same and schedule a hearing before the General Manager to determine whether the applicant must modify its application.

In cases where the application has been granted, staff shall schedule a hearing before the General Manager for the purpose of revoking the issuance of the permit in light of the changed circumstances.

15. Under the California Government Code section 6157, amended in 1992, a public agency may recover the cost of processing and collection of a returned check. In addition, please take note that any person who wilfully delivers any check with knowledge that he or she has insufficient funds to cover the

amount of the check may, under certain circumstances, be subject to the penalties under California Penal Code section 476a.

D. PERFORMANCE BONDS

1. Staff shall require performance bonds pursuant to the following schedule in order to insure that property is restored and cleaned at the conclusion of the permitted activity:

<u>ATTENDANCE</u>	<u>AMOUNT OF BOND</u>
100 - 150	\$ 150
151 - 299	200
300 - 450	250
451 - 700	350
701 - 1,000	450
1,001 - 1,500	750
1,501 - 3,000	1,000
3,001 - 6,000	1,500
6,001 - 9,000	2,000
9,001 - 15,000	3,000
15,001 - 25,000	3,500
25,001 - 45,000	4,000
45,001 - 75,000	6,000
75,001 - Plus	\$ 10,000

2. Staff may require an applicant to pay a performance bond for events which are expected to draw an attendance of under 100 persons, so long as the amount of the performance bond is reasonably related to the anticipated costs of restoring or cleaning the property used in connection with the event.

3. The performance bond shall be in the form of a cashiers check payable to the San Francisco Recreation and Park Department. The performance bond shall be returned after the event as soon as it is determined that every area of the park used in connection with the event has been cleaned and restored to the same or equivalent condition that existed immediately prior to the time permission to use the facility was granted. In no case shall the performance bond be returned unless the

property is returned to its original condition or the permittee has paid the cost of cleaning and restoring the park property used in connection with the event.

4. When an applicant for a permit to perform an activity which is protected by the First Amendment to the U.S. Constitution and for which a performance bond must be posted produces evidence that providing a cash performance bond would be impossible or so financially burdensome that it would preclude the applicant from using park property for the proposed activity, staff shall accept property in lieu of a cash performance bond so long as the property offered is of a type which will reasonably insure restoration and cleaning of the property to be used. If the applicant is unable to provide any such property in lieu of a bond or produces evidence that he or she is indigent, the General Manager may accept in its place written assurances that all necessary appropriate measures will be undertaken by applicant to protect park property against damage if the General Manager determines that the measures proposed by the applicant will be performed and will adequately protect the property.

5. If an applicant has used park property in the past pursuant to a permit and has caused damage or injury to property or failed to restore or clean the property at the conclusion of the permitted activity, staff may require the applicant to post a performance bond in an amount greater than that normally required, so long as the increased amount is reasonably related to the anticipated costs of restoring or cleaning the property. However, if an applicant who has damaged property or failed to restore or clean the property in the past has, since that

occurrence, used park property pursuant to a permit and has left the property in good condition, the amounts normally required of applicants shall apply.

6. Staff may also require an applicant to post a performance bond in an amount greater than that normally required, so long as the increased amount is reasonably related to the anticipated costs of restoring and cleaning the property used in connection with the event.

7. Beyond the direct costs associated with restoring and cleaning park property following the event, the applicant recognizes and agrees that some violations of Park rules and regulations result in damages which are extremely difficult to estimate. Such damages include (but are not limited to), for example, the public's lost use of the park or lost enjoyment of the flora, fauna or vegetation while the park is being cleaned or restored; increased administrative costs resulting from patrolling the park and admonishing parties violating park rules, general impairment of the park environment and public recreational resource, and the loss of future concession revenues from individuals who are discouraged from using the park as a result of the applicant's violations of park rules. Accordingly, in the event applicant fails to substantially comply with any of the Park's rules, regulations, or other permit conditions (in the opinion of the General Manager or designee), applicant shall be liable for liquidated damages in the amount of \$250 or (25%) of the total performance bond (i.e., cashier's check), whichever is greater. This liability is in addition to any direct costs associated with cleaning and restoring the park, for which the

applicant is also liable. Any assessed damages which cannot be recovered from the performance bond (i.e., cashier's check) shall be payable to the Recreation and Park Department upon demand. Applicant has the right to appeal the assessment of liquidated damages to the Recreation and Park Commission.

8. General Manager may waive or decrease the performance bond normally required if the applicant has a history of using park property pursuant to a permit and has consistently left the property used in good condition and no circumstances exist which indicate that the applicant might fail to restore the property after the proposed event.

9. When the applicant fails to follow Park rules and regulations, or any other conditions placed on a permit to use the Park, which staff reasonably believes risks serious damage to park property or substantially interferes with the use and enjoyment of the area or facility by other persons, staff may issue a warning that any further violations of any rules, regulations or conditions may result in an order to leave the park. Following the event, the General Manager (or designee) may issue an order denying the group or organization a permit to use the park for a period not to exceed one year. However, groups or organizations which only sponsor an annual event will be denied a permit through the following calendar year. In determining the length of time a group or organization will be excluded from the park, staff will consider only the nature, extent and the duration of the particular violation(s).

E. INSURANCE REQUIREMENTS

Insurance coverage of the type and amount described below shall be required for the following events where the sponsor is other than a governmental entity:

1. Any event involving groups of 1,000 or more persons;
2. Any event scheduled at night which takes place in whole or part outdoors unless (a) the number involved is so small given the type of activity involved and the location of the event that staff is able to determine that the risk of harm to persons or property is minimal or (b) the applicant or sponsor agrees to provide lighting of sufficient strength that staff is able to determine that the risk of harm to persons or property is minimal.
3. Any event involving animals;
4. Any event which involves large displays, machinery, or any large physical object which could come into physical contact with persons or property and cause injury;
5. Any race or marathon for which a permit is required pursuant to Article 7 of the Park Code;
6. Any festival except that festivals not providing food for sale or not having games which involve an element of risk do not require insurance.

The insurance requirements are as follows: Liability insurance covering all operations, including but not limited to the demised premises, personal injuries and injury to property for single limits of not less than \$1,000,000 applying to bodily injuries (including death at any time resulting therefrom), and property damage or a combination of said injuries.

In addition, any event at which food is sold or given to persons other than those in one's own organized group must be covered by the following insurance: Food Products Liability of \$1,000,000 when sale of food is contemplated as part of a requested permit. Conditions of sale as negotiated by the Business Office shall be subject to Commission approval.

The normal insurance coverage requirements shall not apply to applicants who propose to engage in an activity protected by the First Amendment of the U.S. Constitution when the applicant produces evidence that complying with those provisions is impossible or so financially burdensome that it would preclude the applicant from using park property for the proposed activity. However, in no event shall the requirement for food products liability coverage be waived when food is involved.

F. HOLD HARMLESS AGREEMENT

An applicant for any permit to engage in an activity for which a performance bond or insurance coverage is normally required shall also be required to sign an agreement to reimburse the Recreation and Park Department for any costs incurred by it in restoring damage to property caused by the action of the permittee, its officers, employees, or agents, or any person who was, or reasonably should have been, under the permittee's control, and to defend the City against, and indemnify and hold the City harmless from any liability to any person resulting from any damage or injury caused by the actions of the permittee, its officers, employees or agents, or any person who was or reasonably should have been, under the permittee's control whenever the performance bond or insurance coverage is waived.

G. FACILITIES

1. Those Recreation and Park facilities serving a specific function, such as baseball diamonds, tennis courts, swimming pools and areas used primarily as children's play areas and neighborhood playgrounds, will not be the site of any event that would conflict with what is intended as the primary function of that Recreation and Park facility.

2. Those facilities which primarily function as recreational areas for the persons residing or working in the areas adjacent to them shall be used primarily for events and activities designed for recreation, enjoyment or use of such persons. Events which will draw persons from throughout the City or beyond may be permitted in these areas only if to deny such use would unreasonably burden First Amendment expression or no other suitable facility is available. Examples of areas to which this policy refers are Huntington Park, Alta Plaza, Alamo Square, Lafayette Square, Holly Park and the Panhandle of Golden Gate Park.

3. In reviewing requests for the use of facilities for demonstrations or musical events or any event requiring amplified sound staff shall schedule these events at facilities recognized as serving a city-wide function. These facilities include, but are not limited to, Union Square, Candlestick Park, Civic Center Plaza, Justin Herman Plaza (Embarcadero Plaza), McLaren Amphitheater, Portsmouth Square, Music Concourse, Kezar Stadium and Marx Meadow in Golden Gate Park.

4. Staff shall not schedule an event at any facility if the staff has reason to conclude that the event will attract an audience which will exceed the maximum capacity of that facility. The facilities listed below have the capacity indicated:

10 Sq. Feet Per Person

Beach Chalet Playing Field		28,000
Candlestick Park Field (5 sq. ft. per person)		24,800
Candlestick Park Parking Lot		240,000
Lindley Meadow		23,000
Log Cabin Picnic Area	W	2,500
	E	4,400
Marina Green	W	8,300
	E	31,300
Marx Meadow		6,700
McLaren Amphitheater		4,300
Sharon Meadow		21,200
Speedway Meadow		29,000
Stern Grove Concert Area		7,500
with organized seating		20,000

5 Sq. Feet Per Person

Civic Center Plaza	North	20,700
	South	23,330
Embarcadero Plaza		13,000
Japanese Peace Plaza		1,780
Music Concourse (earthquake damaged)		3,000
Polo Field		100,000
Portsmouth Square with Brenham Place closed		11,500
Union Square		6,000
United Nations Plaza		3,600
Washington Square (10 sq.ft per person)		8,000

No more than one multiple day event which draws 10,000 or more people may be held in the same grass area within one calendar month. There must be at least one full week between each event. Spacing of events is required to allow recovery of the turf. In considering applications for events in grass area which will draw 10,000 or more people staff may limit sponsors to one event per month provided there is a heavy demand for such permits. The foregoing rule shall not be applied to Stern Grove Concert Meadow

during the concert season. The Polo Field and Beach Chalet playing field are considered separately in section H.

5. Amplified sound may be permitted in Union Square, Embarcadero Plaza, and Civic Center on weekdays, Monday through Friday from 12 noon to 1:30 p.m. only. However, if the permittee is unable to schedule the event in Union Square between 12 noon and 1:30 p.m. on a weekday, amplified sound may be permitted in that unit for a maximum of 2 hours in the evening hours between 5 p.m. and 9 p.m. Amplified sound may be permitted in Union Square and Embarcadero Plaza on weekends (Saturday and Sunday) and holidays from 12 noon to 2 p.m. only, except that if the permittee is unable to schedule the event between 12 noon and 2 p.m., amplified sound may be permitted at other times, although not earlier than 9 a.m. nor later than 9 p.m., provided that the time for such amplified sound does not exceed 2 hours. Amplified sound may be permitted in the Civic Center on weekends and holidays from 9 a.m. to sunset only. If the permittee is unable to schedule the event in Civic Center on weekends or holidays from 9 a.m. to sunset, amplified sound may be permitted in the Civic Center for a maximum of 2 hours in the evening between 5 p.m. and 10 p.m. Amplified sound may be permitted for a maximum of 4 consecutive hours per day at Mission Dolores Park, Marina Green and Washington Square on weekends and holidays from 1 p.m. to sunset and on weekdays not to begin before 9 a.m. or go beyond 9 p.m.

6. Staff shall limit all permits to one day only. Special permission for consecutive multiple day events may be granted by the Commission who shall consider the nature of the event, the

proposed location, the anticipated attendance, and any other facts and circumstances that relate to any potential adverse impact on the park property, the neighborhood, or the public so long as such impacts are unrelated to the content of the event.

7. The Commission finds that Union Square and the Civic Center are in great demand for activities and events by many different persons and organizations and that approval of applications received from one person or organization for use of these facilities for numerous multiple dates unfairly restricts the number of persons who may use them. In considering applications for permits to use these facilities, staff may require the applicant to move the proposed event to another location if the applicant has used the facility requested on numerous occasions in the previous two months.

H. GOLDEN GATE PARK

1. The Polo Field (Golden Gate Park Stadium) shall be reserved for athletic, equestrian and sports events on a priority basis. Four open dates shall be designated for nonathletic/nonsports events drawing at least 25,000 persons. These dates shall be available to the public on the first working Monday of each year. It shall be the policy of this Commission that these dates be designated one each in the months of May, July, September and October to allow for turf recovery and that these dates must be at least 6 weeks apart.

The first business day of March is the cutoff date for interested applicants to submit completed applications for the May date at the Polo Field for a nonathletic/nonsports event drawing at least 25,000 persons. The first business day of May

is the cutoff date for interested applicants to submit completed applications for the July date at the Polo Field for a nonathletic/nonsports event drawing at least 25,000 persons. The first business day of July is the cutoff date for interested applicants to submit completed applications for the September date at the Polo Field for a nonathletic/nonsports event drawing at least 25,000 persons. The first business day of August is the cutoff date for interested applicants to submit completed applications for the October date at the Polo Field for a nonathletic/nonsports event drawing at least 25,000 persons. Once all of the completed applications are received for a given date they will be evaluated by the staff. A lottery system will be used only if there are two or more applications for a given date. In considering applications for the use of the Polo Field for a nonathletic/nonsports event which will draw 25,000 or more persons, staff may limit sponsors to one date provided there is a heavy demand for such permits.

2. Beach Chalet playing fields shall be reserved for athletic and sports events only.

3. Speedway Meadow shall be reserved for use primarily as a group picnic area. This area may also be used for large assemblies as set forth in Section G 4.

4. Permits for events which require amplified sound permits issued by the Police Department shall be allowed at the Music Concourse and Kezar Stadium between the hours of 9:00 a.m. and 6:00 p.m. daily. Amplified sound at the Music Concourse shall not exceed one (1) continuous five (5) hour period during

these hours. Amplified sound at Kezar Stadium shall not exceed four (4) hours per day, no more than three (3) days per week.

Amplified sound may be allowed in the east end of Golden Gate Park between 8:30 a.m. and 9:00 a.m., for a permitted event of more than 1,000 people, for event announcements and emergency information only. This amplification must not exceed a system capable of a maximum of 100 total watts of power at any time.

Permits for events which require amplified sound permits issued by the Police Department shall also be allowed at the Polo Field and Marx Meadow between the hours of 10:00 a.m. and 5:00 p.m. daily; provided, however, that in no case shall amplified sound before, during and after a nonathletic, equestrian or sports event exceed a total of 4 consecutive hours of amplified sound per day and no more than 12 consecutive hours in a week in the west end of Golden Gate Park.

Any permit which requires a sound permit issued by the Police Department as part of an athletic, sports or equestrian event at the Polo Field or Beach Chalet playing field shall in no case allow amplified sound before, during, and after an event in excess of a total of 2 hours. Nothing herein shall be construed to restrict play by play amplified announcements germane to broadcasting athletic, equestrian or sports events at the Polo Field, Beach Chalet playing field, Bercut Field or Kezar Stadium.

In all events involving amplified sound the sound level shall not exceed the limit permitted pursuant to applicable provisions of the Police Code. In addition, staff shall not allow more than one event for which an amplified sound permit is required in the west end of Golden Gate Park on a given day;

provided further that in order to minimize the impact of noise in the west end of Golden Gate Park on weekends and holidays, staff shall not schedule events with amplified sound for which a sound permit is required, for two consecutive days during a weekend or a weekend holiday of any given week in the west end of Golden Gate Park.

5. Except by special permission of the General Manager, there shall be no sale of Street Artists' wares or arts and crafts handiwork in outdoor areas of Golden Gate Park.

I. WEDDINGS

The following properties are authorized for weddings: Chinese Pavilion, Rose Garden, Wilhemina Tulip Garden, Shakespeare Garden, Rhododendron Dell, Metson Lake, Liberty Tree, Hoover Redwood Grove, George Washington Bicentennial, Elk Glen, the Conservatory, Stern Grove, Pioneer Log Cabin, Marx Meadow, the lawn area and courtyard of the Legion of Honor, Chain of Lakes area. Weddings in other areas shall be by special permission of the General Manager only.

J. MECHANICAL RIDES AND AMUSEMENT DEVICES

Permits shall not be granted for the installation and use of portable mechanical rides and amusement devices on any Recreation and Park facility.

K. APPEAL PROCEDURE

1. An applicant for a permit to perform acts described in Park Code Section 7.03 may appeal the denial of a permit application or revocation of a permit, or subsequent assessment of liquidated damages, by filing with the Secretary of the Recreation and Park Commission a written request for a hearing.

The request for a hearing shall state succinctly the grounds upon which it is asserted that the determination of the General Manager should be modified or reversed.

2. Once an appeal has been filed, the Secretary shall place the matter on the agenda of the appropriate committee of the Commission for its next regularly scheduled meeting and on the agenda of the Commission for its next regularly scheduled meeting. However, on matters involving questions of significant public interest or policy the General Manager may place the matter on the agenda of the Commission for its next regularly scheduled meeting for decision without placing the matter on the agenda of the appropriate committee of the Commission.

3. The Commission shall afford the applicant an opportunity for a hearing and may reverse, affirm or modify in any regard the determination of the General Manager. When the Commission affirms the denial of a permit application or revocation of a permit, such a decision shall be based on one or more of the reasons listed in Section 7.07 of the Park Code.

4. The Commission shall give the applicant written notice of its decision within 3 days after the hearing, Saturdays, Sundays, and legal holidays excluded. Such notice shall be mailed to the applicant at the address contained in the request for a hearing or, if none, in the permit application. The Secretary of the Commission shall keep a copy of the notice on file to be made available to the applicant upon request. When the Commission issues a ruling adverse to the applicant, the Commission shall include within the written notice to the

applicant the reasons for the decision and a specification of the findings of fact on which the decision is based.

5. A person whose permit application has been denied or permit revoked may file in a timely manner a request for an expedited appeal if the regular appeal procedure, set forth above, would deprive the person of a hearing before the Commission prior to the date of the proposed activity for which a permit is sought and a postponement of the date of the proposed activity would prejudice the applicant.

6. The Commission shall afford an expedited appeal by providing a hearing and a written notice of its decision within 72 hours of the time that the written request for a hearing is filed with the Secretary of the Commission. The written notice shall be filed with the Secretary of the Commission who shall give it to the applicant upon request. If the expiration of the 72-hour period does not fall during regular business hours of the Recreation and Park Department, the Commission shall, at the time of the hearing, arrange with the applicant a procedure for making the decision available within 72 hours.

7. If a quorum of the Commission cannot be convened within the 72-hour period in order to provide an expedited appeal, the hearing and written notice of decision shall be provided by the General Manager. This duty shall be performed by the General Manager or, in the absence of the General Manager, by the Acting General Manager, and shall not be delegated.

8. The determinations as to whether the request for an expedited appeal has been filed in a timely manner and whether postponement of the date of the proposed activity would prejudice

the applicant shall be made by the General Manager and the decision of the General Manager on these issues shall be final. The General Manager shall not deny an applicant an expedited appeal without affording the applicant an opportunity to be heard on the issues described. This duty shall be performed by the General Manager or, in the absence of the General Manager, by the Acting General Manager, and shall not be delegated.

9. All the procedures established for a regular appeal, other than those pertaining to time, are the same as to an expedited appeal, unless otherwise noted.

II. MISCELLANEOUS PERMIT APPLICATION PROCEDURES

1. Launching Boats or Other Water Craft

The Business Division shall be responsible for concession agreements whereby a person or entity provides water craft for use by the public for a fee.

Application for a permit to launch water craft other than through concession agreements shall be made to the Superintendent of Parks.

2. Sign Posting

Whenever approval is sought to post a sign in any park, such approval shall be sought from the division noted below:

Signs posted giving directions to an event for which permit has been issued, from the Division which issued the permit.

Signs posted by persons or organizations maintaining and operating recreational facilities on park property on a daily basis, from the Superintendent of Parks.

Staff shall advise applicants that tobacco product advertising is prohibited on Park property. This prohibition

includes the placement of the name of a company producing, selling or distributing cigarettes or tobacco products or the name of any cigarette or tobacco product in any promotion of any event or product.

This prohibition does not extend to government or non-profit advertisements designed to discourage smoking.

3. Athletic Instruction for Compensation

Application for permission to provide athletic instruction for compensation shall be made to the Business Division.

4. Launching Airplanes, Helicopters, Hot Air Balloons or Other Apparatus of Aviation

Application for such permits shall be made to the Permits and Reservation Section.

5. Peddling Goods, Wares or Merchandise

Application for such permits shall be made to the Permits and Reservation Section if the sale is to take place only one day, and otherwise to the Business Division.

6. Camping

Application for permits to construct or maintain camping or housing accommodations shall be made to the Permits and Reservation Section.

7. Sleeping Overnight

Application for permits to sleep between 10:00 p.m. and 6:00 a.m. in order to provide security services shall be made to the Permits and Reservation Section.

8. Performance of Labor, Deposit of Building Material

Application for permission to remove any tree, wood, bush,

turf, shrub, flower, plant, grass, soil, rock or similar thing shall be made to the Superintendent of Parks.

9. Alcoholic Beverages

Application for permission to consume alcoholic beverages shall be made, as to playgrounds, to the Community Services Section, and, as to all other locations, to the Permits and Reservation Section.

10. Soliciting Passengers for Vehicles for Hire

Application for permission to establish or maintain any stand or other equipment for procuring customers for any vehicle let or used for hire shall be made to the Business Division.

11. Commercial Photography, Filming, Recording

Application for permission to engage in commercial photography, filming or recording shall be made to the Mayor's Film Office pursuant to Sec. 57 of the San Francisco Administrative Code. Recreation and Park Department staff shall monitor all film permites to ensure that this activity does not cause damage or unduly interfere with Department programs, services or operations.

III. GENERAL APPEAL PROCEDURES FOR DENIAL OF PERMIT APPLICATIONS

Denial by staff of an application for a permit to engage in an activity described in this resolution, other than activities described in Park Code Section 7.03, may be appealed to the Recreation and Park Commission in the same manner as a regular or expedited appeal as set forth in Section I. K. In addition, denial by staff of an application for permission to use a building on park property may be appealed to the Commission, in

the same manner as a regular or expedited appeal as set forth in Section I. K.

IV. REGULATIONS GOVERNING DISTRIBUTION OR SALE OF FOOD TO
THE GENERAL PUBLIC ON PARK PROPERTY

Park Code Section 7.03(k) requires a permit to provide food to persons on park property. Pursuant to Charter Section 3.552 and Park Code Sections 3.01 and 7.706, the Commission hereby establishes the following regulations for the use of park property for the distribution or sale of food.

1. Except as provided in Section IV 2., no person shall, without a permit from the General Manager or the Commission as set forth below, distribute, provide or sell food to the general public, including but not limited to the homeless, on park property.

(a) The General Manager may approve a permit application for the distribution, provision or sale of food to the general public when the proposed activity takes place in an indoor facility appropriate for such use or is in connection with a recreational activity on park property.

(b) Applications for the distribution, provision or sale of food not subject to subsection (a) above shall be referred to the Commission for action.

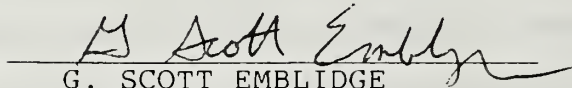
2. Exceptions. A permit to sell or provide food to persons on park property is not required when a person participating in a picnic or social gathering of 25 or fewer persons provides food to others who are also participating in that picnic or social gathering. This exception shall not be construed to allow any person to use park property, without a

permit, as a mobile or stationary kitchen, eating establishment, restaurant or similar purpose to provide or sell food to the general public, including but not limited to the homeless.

V. STAFF REVIEW OF REGULATIONS

The Commission directs the General Manager and staff to continue to evaluate the viability of these regulations and to ascertain whether this scheme strikes the proper balance between the recreational, constitutional and property interests of San Franciscans heretofore mentioned and the Commission's substantial interest in preserving park property, limiting excessive noise and congestion and other police problems that may result from activities on park property. The General Manager shall report to this Commission its findings as to this issue no later than the fifth and the eleventh Commission meetings of each calendar year.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney


G. SCOTT EMBLIDGE
Deputy City Attorney



Frank M. Jordan, Mayor

Mary E. Burns
General Manager

Trent W. Orr
President

Jack Immendorf
Vice President

Sidney Chan
Keith Eickman
Bella Farrow
Santiago Ruiz
Sue Sommer

Shauna Marie Rose
Secretary

DOCUMENTS DEPT.

AUG 10 1993

SAN FRANCISCO
PUBLIC LIBRARY

August 5, 1993

Mr. Lee Smith
Documents Section
San Francisco Public Library
Civic Center
San Francisco, California 94102

Subject Section 7.05 of the San Francisco Park Code
Permit and Reservations Policy

Dear Mr. Smith:

Section 7.05 of the San Francisco Park Code requires that the Recreation and Park Commission adopt procedures for the filing and processing of permit applications and that the procedures be on file in the Clerk of the Board of Supervisors' office.

As you know, the Commission Office has been asked to have a copy of the Permit and Reservations Policy on file with the Documents Section of the Public Library.

Accordingly, please find enclosed Resolution No. 1664 (the Permit and Reservations Policy) which was adopted by the Recreation and Park Commission on May 20, 1993.

If you have any questions please contact me

Sincerely,

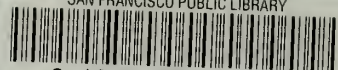
Shauna Marie Rose
Commission Secretary

Enclosure





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